

1 KODIAK/ALEUTIANS ALASKA FEDERAL SUBSISTENCE
2 REGIONAL ADVISORY COUNCIL MEETING

3
4 PUBLIC MEETING

5
6
7 VOLUME I

8
9 Kodiak, Alaska
10 March 26, 2013
11 9:00 a.m.

12
13
14 COUNCIL MEMBERS PRESENT:

- 15
16 Vincent Tutiakoff, Acting Chairman
17 Melissa Berns
18 Patrick Holmes
19 Richard Koso
20 Samuel Rohrer
21 Thomas Schwantes
22 Antone Shelikoff
23 Speridon Simeonoff
24 Peter Squartsoff
25 Della Trumble
26
27
28 Regional Council Coordinator, Tom Jennings

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P R O C E E D I N G S

(Kodiak, Alaska - 3/26/2013)

(On record)

ACTING CHAIR TUTIAKOFF: If we can take our seats, we'll call the meeting to order. It's 8:25 a.m. and 8:35 called to order. We do have a quorum. Before we get started I'll ask Pat Holmes to do an invocation.

MR. HOLMES: Thank you, Mr. Chairman. For those of you who haven't been to one of our meetings before, this is a carving of the Sugpiaq Eskimo the Alutiiq Llam Sua was their chief spiritual essence. I guess equivalent to a sun. Then his opposite with a female was Lla Sua and I haven't been able to track down that carving. But we use this as a focal point because Llam Sua kind of embodies the environment and man's relationship to everything, so we try at our Council meetings to remain calm and to think in the most positive ways to try to develop solutions to subsistence problems in our region. If somebody gets your dander up, just look at Llam Sua a little bit.

Thank you.

ACTING CHAIR TUTIAKOFF: Thank you, Pat. That's a good reminder for those of us that work in various small communities that we defend subsistence rights of all of our people. At this time I'll ask for roll call.

MR. HOLMES: Antone Shelikoff.

MR. SHELIKOFF: Yeah.

MR. HOLMES: Pat Holmes. I'm here.
Richard Koso.

MR. KOSO: Here.

MR. HOLMES: Sam Rohrer.

MR. ROHRER: Here.

MR. HOLMES: Tom Schwantes.

1 MR. SCHWANTES: Here.
2
3 MR. HOLMES: Peter Squartsoff.
4
5 MR. SQUARTSOFF: Here.
6
7 MR. HOLMES: Vincent Tutiakoff.
8
9 ACTING CHAIR TUTIAKOFF: Here.
10
11 MR. HOLMES: Della Trumble.
12
13 MS. TRUMBLE: Here.
14
15 MR. HOLMES: Speridon Simeonoff.
16
17 CHAIRMAN SIMEONOFF: Yes.
18
19 MR. HOLMES: Melissa Berns.
20
21 ACTING CHAIR TUTIAKOFF: She is, I
22 understand, on her way from her community and should be
23 here shortly.
24
25 MR. HOLMES: Okay. So we do have a
26 quorum, Mr. Chairman.
27 Mr. Rohrer is absent and Ms. Berns is on her way.
28
29 ACTING CHAIR TUTIAKOFF: Mr. Rohrer is
30 here.
31
32 MR. HOLMES: Oh, excuse me, Sam. I'm
33 not only deaf, but blind. And Sam Rohrer. Beg your
34 pardon.
35
36 MR. ROHRER: I forgive you.
37
38 ACTING CHAIR TUTIAKOFF: Okay. We do
39 have a quorum. We have three new members, two that
40 were reappointed. Della Trumble and Speridon Simeonoff
41 were reappointed. Melissa Berns from Old Harbor is a
42 new appointee to our Regional Advisory Council.
43 Welcome back, Della and Speridon/Mitch.
44
45 CHAIRMAN SIMEONOFF: Thank you. I'm
46 happy to be back on.
47
48 ACTING CHAIR TUTIAKOFF: As you know,
49 Mitch is not here. He's the Chair. They've asked me
50 to sit in and get the meeting going. Mitch is online.

1 Mitch will be reporting later on in the agenda.

2

3 We have some announcements to make.
4 Public comments. Please sign in on the sign-in sheets
5 at the door there. For each agenda item for the
6 regional concerns not included on the agenda. The
7 Council appreciates hearing your concerns and
8 knowledge. Please fill out the comment form, which is
9 in the back, to be recognized by the Council Chair.
10 Time limits may be set providing opportunity for all to
11 testify and keep the meeting on schedule.

12

13 We have a two-day meeting. The weather
14 looks great, so we're not in a hurry to get out of
15 here. We want to do what we can. We may change some
16 of the times as we move along. We do have some changes
17 in the agenda as we go through them and we will -- one
18 of the items that we're not going to take action on
19 right away would be 11(B) and we'll wait for comments
20 to be brought forward on new business 12(A) before we
21 take action on 11(B). I understand the Anchorage Fish
22 and Wildlife people are not here, so they won't be
23 giving a report.

24

25 Any other items, Tom. Any other
26 changes. Oh, we got cell phones. Anybody who has cell
27 phones get them on mute. If you take phone calls, go
28 out into the hallway.

29

30 Thank you.

31

32 Go ahead, Tom.

33

34 MR. JENNINGS: Just simply restrooms
35 are downstairs when you have your breaks. That's all.

36

37 ACTING CHAIR TUTIAKOFF: Thanks. Any
38 more items we need to bring up. I guess we can bring
39 them up as we move along. We'll ask for the review and
40 adoption of the agenda at this time.

41

42 MR. KOSO: I make a motion we adopt the
43 agenda.

44

45 ACTING CHAIR TUTIAKOFF: It's been
46 moved by Rick Koso to adopt the agenda as presented.

47

48 MR. SCHWANTES: I second.

49

50 ACTING CHAIR TUTIAKOFF: Seconded by

1 Tom Schwantes. All those in favor say aye.
2
3 IN UNISON: Aye.
4
5 ACTING CHAIR TUTIAKOFF: Opposed.
6
7 (No opposing votes)
8
9 ACTING CHAIR TUTIAKOFF: Motion
10 carries. At this time we'll do election of officers.
11
12 MR. JENNINGS: Mr. Chair. I can take
13 the floor for that.
14
15 ACTING CHAIR TUTIAKOFF: I'll turn it
16 over to Tom to run the election of officers.
17
18 MR. JENNINGS: Thank you, Mr. Chair.
19 Most of you members can probably do this part better
20 than I, so if I m not on task keep me heading in the
21 right direction. I guess we'll open the floor for
22 nominations for Council chairman.
23
24 MR. SQUARTSOFF: I nominate Mitch
25 Simeonoff, Speridon.
26
27 ACTING CHAIR TUTIAKOFF: Second.
28
29 MR. HOLMES: Second.
30
31 ACTING CHAIR TUTIAKOFF: Move to close
32 nominations.
33
34 MR. SCHWANTES: Second.
35
36 MR. JENNINGS: For nominations we don't
37 need a second on those. Nominations for Chair is
38 closed. Any objections to your nominee.
39
40 (No objections)
41
42 MR. JENNINGS: Hearing none. Speridon
43 Simeonoff is reelected as your Chairman.
44 Congratulations, Mitch.
45
46 CHAIRMAN SIMEONOFF: Thank you very
47 much. I appreciate that. I look forward to working
48 with everyone again.
49
50 MR. JENNINGS: All right. We can

1 entertain nominations for vice chairman.
2
3 MR. KOSO: I'd like to nominate Vince
4 Tutiakoff for vice chair.
5
6 MR. SQUARTSOFF: Second.
7
8 MR. SCHWANTES: I move nominations be
9 closed.
10
11 MR. JENNINGS: Noted. Do you have any
12 objections to our nominee?
13
14 (No objections)
15
16 MR. JENNINGS: Hearing none.
17 Congratulations, Vince.
18
19 ACTING CHAIR TUTIAKOFF: Thank you.
20
21 MR. JENNINGS: Lastly, let's take
22 nominations for secretary.
23
24 MR. SCHWANTES: Nominate Pat Holmes.
25
26 MR. KOSO: Second.
27
28 ACTING CHAIR TUTIAKOFF: Move to close.
29
30 MR. JENNINGS: Nominations are closed.
31 Any objections.
32
33 (No objections)
34
35 MR. JENNINGS: Congratulations, Pat.
36 I'd like to turn it over to our Acting Chair Vince
37 Tutiakoff and congratulations to all members reelected.
38 We've got good leadership here and a good Council.
39 When Melissa shows up you'll have a full house. It's
40 commendable.
41
42 Thank you.
43
44 ACTING CHAIR TUTIAKOFF: Thank you.
45 Congratulations to Mitch and Pat. If at any time you
46 that are on the telephone have something to bring up,
47 please holler out at any time. We'll recognize you.
48
49 At this time we'd like to move on to
50 Item 8, review and approve the September 25, 2012

1 minutes.

2

3 MR. JENNINGS: Mr. Chair. I just want
4 to say I got those out late and I do apologize not
5 having them to you with your meeting packets when I
6 mailed them.

7

8 ACTING CHAIR TUTIAKOFF: Yeah, this
9 meeting was held in Sand Point. I need a motion to
10 approve the minutes of September 25th.

11

12 MR. KOSO: I make a motion to approve
13 the minutes of September 25th.

14

15 ACTING CHAIR TUTIAKOFF: It's been
16 moved by Rick Koso. Do I hear a second.

17

18 MR. SHELKOFF: Second.

19

20 MR. SCHWANTES: Second.

21

22 ACTING CHAIR TUTIAKOFF: Seconded by --
23 I'm sorry, I'll take Antone Shelikoff second. All
24 those in favor say aye.

25

26 IN UNISON: Aye.

27

28 ACTING CHAIR TUTIAKOFF: Opposed.

29

30 (No opposing votes)

31

32 ACTING CHAIR TUTIAKOFF: Motion carries.
33 The minutes are approved. We'll go on to Item 9, which
34 are reports from Council members. We'll start with
35 Speridon/Mitch. Do you want to start off with your
36 report first. Are you with us, Mitch?

37

38 CHAIRMAN SIMEONOFF: Can you hear me
39 now?

40

41 ACTING CHAIR TUTIAKOFF: We can hear
42 you now.

43

44 CHAIRMAN SIMEONOFF: Okay. Thank you,
45 Mr. Chairman. I don't have much to report from the
46 village of Akhiok except for a concern that was brought
47 up concerning the crab proposal that is being sent back
48 to the RAC. After presenting it to the tribal council
49 here in the village they were concerned about a number
50 of crab pots that a person can haul in their skiff.

1 Well, I crabbed for other members in the village. They
2 kind of approved of the idea, but they didn't see that
3 having one crab pot per vessel was going to serve their
4 subsistence needs adequately.

5
6 That's the extent of my report from
7 Akhiok.

8
9 ACTING CHAIR TUTIAKOFF: Thank you.
10 We'll have more on that as an agenda item. I think
11 it's 11 or (D). Sam.

12
13 MR. ROHRER: Yeah, Mitch. Sam Rohrer
14 here. I just wanted to ask you a question and see how
15 your deer population was handling the winter and what
16 your snow was like down there.

17
18 CHAIRMAN SIMEONOFF: I didn't hear that
19 very well. Could you repeat that, please.

20
21 MR. ROHRER: Yeah, Mitch. Good
22 morning. It's Sam Rohrer. I was just curious how your
23 deer population was doing this winter and how your snow
24 level was.

25
26 CHAIRMAN SIMEONOFF: The deer
27 population here seems to be pretty low. The deer we
28 have been seeing around here are very high up on the
29 mountains, given the fact that we had a mild winter up
30 to this past week. Right now they seem kind of low,
31 but we are seeing them out there.

32
33 MR. ROHRER: Thanks.

34
35 ACTING CHAIR TUTIAKOFF: Do we have any
36 more Council -- Antone, do you have any issues you want
37 to speak to.

38
39 MR. SHELKOFF: No, none at this time.
40 No.

41
42 ACTING CHAIR TUTIAKOFF: Tom Schwantes.

43
44 MR. SCHWANTES: No thanks, Mr.
45 Chairman.

46
47 ACTING CHAIR TUTIAKOFF: Rick Koso.

48
49 MR. KOSO: Well, I really don't have
50 much to bring up right yet. There was some concern in

1 Adak in the Kuluk Bay area of possibly a conflict of
2 some subsistence halibut fishing versus the commercial
3 fleet. I'll hold that off until I get further
4 information on that, probably the next meeting or
5 something. That's all I have.

6

7 ACTING CHAIR TUTIAKOFF: Pete
8 Squartsoff.

9

10 MR. SQUARTSOFF: Yeah, I just had --
11 since Sam brought the deer up. I was down to Old
12 Harbor this fall. I usually go down every fall and go
13 duck hunting or whatever. I've never seen the deer
14 population so low down at Old Harbor in all the years
15 I've been going down there. I know three guys down
16 there that had hunters out and I think between the
17 three of them that week one deer was taken. These
18 people have been hunting with him for years. It was
19 really, really bad, so I think that really needs to be
20 looked into.

21

22 ACTING CHAIR TUTIAKOFF: Thank you.

23

24 Pat Holmes.

25

26 MR. HOLMES: Mr. Chair. Up on the
27 north end of the island, the road system, the deer are
28 pretty bad from what I've heard and the opinion of the
29 Liars Table down at the Kings Diner was that things
30 weren't doing well.

31

32 I have a few items of interest for the
33 group. We did have a local study group between going
34 in the tradition of many years here between our Council
35 and the Fish and Game Advisory Committee and we had
36 some long discussions on the crab pot proposal. Wayne
37 Donaldson will help us with some of the wording we came
38 up with. Then we also had another study group that
39 talked about the goats and submitted a goat proposal to
40 the Board and perhaps Mr. Chervenak is here from the
41 advisory committee maybe later on could give us a
42 report on that.

43

44 Some things of, I think, great concern
45 to the people in the Kodiak community is the Federal
46 subsistence news release seeking comments on rural
47 determination process. I think that's absolutely
48 wonderful that the Federal Board is inquiring what
49 folks think about the process rather than initiating
50 the process and having people complain about it. So my

1 hat is off to Pat Pourchot and the Federal Board for
2 initiating the rural determination process because that
3 was a very difficult and anguishing process for folks
4 in Kodiak.

5
6 I'd also like to bring to the attention
7 of the Council that in the Alaska Joint Board proposal
8 packet coming up in October, and I believe September
9 15th is the deadline, there is a proposal to remove --
10 or from Fairbanks area to remove Kodiak from
11 subsistence. The whole island, the whole management
12 area. There's also a similar one for Bethel. Then
13 there's several proposals in there from the Alaska
14 Outdoor Council who were rumored to be the big folks
15 behind Kodiak being defined nonrural the last go round,
16 so I would seriously suggest that folks take a look at
17 that and I believe that September 25th, so if we have
18 our meeting before then we could put together some
19 comments on the Kodiak non-subsistence area because
20 that will take out all the villages, everybody.

21
22 That's my report, Mr. Chair.

23
24 ACTING CHAIR TUTIAKOFF: Thank you.
25 Della, are you there?

26
27 MS. TRUMBLE: I'm here. Can you hear
28 me?

29
30 ACTING CHAIR TUTIAKOFF: Yes, we can.

31
32 MS. TRUMBLE: One of the things that's
33 the main concern here and I guess I'm going to ask to
34 start looking for some numbers. We've had a high
35 population of wolves within the community this past
36 winter. Some people have been doing what they can to
37 take them down if they're able to, but those numbers
38 are high. I'm also hearing the same in Cold Bay. In
39 fact, in Cold Bay, actually people have been seeing
40 them close to their home. Also that includes False
41 Pass when they're just right on the road system during
42 the day, which has been the issue.

43
44 My goal had been to talk to ADF&G in
45 King Salmon and find out whether there were any numbers
46 or if anybody has done any surveys. I didn't see any
47 within the packet.

48
49 The other thing, I guess, is we
50 continue to move forward with the road and we'll be

1 working with the secretary of Indian Affairs I think in
2 the future on the EIS portion.

3

4 ACTING CHAIR TUTIAKOFF: Okay. Do you
5 have a question, Pat.

6

7 MR. HOLMES: Yeah, Della. Last year we
8 had comments from folks down there in False Pass. Tom
9 Hoblet is the mayor, I believe. I remember one lady
10 giving a passionate concern about the wolves and having
11 to run out in her back yard to get the kids out when
12 she saw a wolf stalking them from the front yard. I
13 was wondering how the situation is down at False Pass
14 and I wonder if you could give us an update on how the
15 subsistence caribou hunt went on 9E.

16

17 MS. TRUMBLE: As far as the wolf
18 situation, Pat, I understand that it continue. I think
19 False Pass lost about six of their dogs this past
20 winter because of wolves. Like I say, I've just seen
21 some pictures, to be honest with you, on Facebook that
22 showed them in the road system during the day. The
23 problem is here in King Cove I've never seen it --
24 we've never seen it like this in -- you know, about a
25 month ago we watched a pack of three or four wolves
26 chase a bear. There's quite a number. That number is
27 really high. They're seen quite frequently.

28

29 As far as the caribou, I think most
30 people that were able to harvest did and was slow.
31 Many of them didn't get their caribou, I believe, until
32 January, but I think most everybody has. I think
33 Izembek should have those numbers as they were supposed
34 to track who harvested and when.

35

36 MR. HOLMES: I imagine folks out there
37 really had a good potluck on getting those caribou into
38 the village because that's been the first time in many
39 years that folks have been able to take that as a
40 traditional food. I know my many years working on the
41 peninsula that ranks right up there with salmon for
42 importance and I'm glad that folks are able to get a
43 few.

44

45 ACTING CHAIR TUTIAKOFF: Thank you,
46 Della. Moving on our agenda. The Chair's report.
47 We'll have Mitch. Mitch, are you there? Can you get
48 back on here and give us your Chair's report and
49 activities of the Chair since our last meeting.

50

1 CHAIRMAN SIMEONOFF: What I can report
2 from our January meeting, we had a lengthy discussion
3 on that proposal for that king crab and that proposal
4 was deferred back to the RAC. I presented it to the
5 tribal council here in the village. Excuse me. I
6 presented it to the village council here in Akhiok and
7 they seemed to have some agreement with it, but their
8 biggest
9 concern was having only one crab pot per vessel. They
10 were very concerned that a person may carry more than
11 one subsistence crab fishing people in his boat, but
12 only one crab pot.

13
14 Given the area we fish in, you know,
15 Alitak Bay is a pretty big bay and it includes the
16 Portage Bay, the Deadman Bay, Moser Bay and Olga Bay.
17 There are times when we have to go to all these
18 locations to get crab. Having one crab pot per vessel
19 did not seem like it was going to serve their
20 subsistence needs adequately and that was the concern
21 that was brought to me by the council and that was the
22 most important topic I was going to bring back to the
23 RAC.

24
25 I apologize that I'm not there and kind
26 of disorganized this morning, but that was the most
27 important topic I had for the Chair's report.

28
29 ACTING CHAIR TUTIAKOFF: Thanks, Mitch.
30 Maybe as you get more organized you can bring us more
31 later. For the Unalaska area we have a subsistence
32 battle on our hand in regards to fishing. We asked the
33 Board of Fish back in October and November to consider
34 closing the Unalaska Bay to dragging. Seven draggers
35 100 feet and bigger are fishing within inside of a
36 quarter mile from three of the main streams that
37 provide subsistence fish to the community of Unalaska.
38 There is a decline and been reported and surveyed.
39 We're going to continue to work with the tribe, the
40 Unalaska Fisherman Association, the city of Unalaska,
41 the Unalaska Fish and Game Advisory Board to do a
42 survey this summer of all the three main streams that
43 are inside the Unalaska Bay.

44
45 We did get kind of a consultation
46 agreement with the Board of Fish and the one processor
47 involved and it's the only one out of about six in the
48 community to actually do any dragging in the Unalaska
49 Bay. They've agreed to move back their dragging from
50 August to September thereby allowing the silver salmon

1 and now the king salmon are starting to show up, more
2 numbers than we've seen since World War II. I seem to
3 feel that the history prior to World War II there was
4 king salmon in Summer Bay for years and now they're
5 starting to come back.

6
7 With the dragging that's going on just
8 right outside the Red Can if you've been in Unalaska,
9 it's less than a half mile from Summer Bay and Unalaska
10 Creek. Then you go to the other side and it's Broad
11 Bay, Nateekin Bay, the main silver salmon creeks,
12 providers of subsistence, they will not drag and agreed
13 not to drag in the September month to allow the silvers
14 to reach the creeks.

15
16 The tribe is, at this time, going to
17 assert their Federal authority. We are putting
18 together a proposal with the four or five entities in
19 the community to actually draw a line from Priest Rock
20 to Cape Cheerful. Right now that line runs from inside
21 Priest Rock to Hog Island to inside of Eider Point,
22 which is two miles from the community. The major
23 subsistence halibut and salmon fishing is in that area.
24 So we have a great concern.

25
26 I think it's a kind of a warning to the
27 other communities that have dragging going on in their
28 communities. As they get lazy, in my opinion, get lazy
29 basically and don't want to go into Bering Sea with
30 their 100-foot boats, then we are going to be hurt by
31 this dragging operation that continues to move ever
32 closer and closer to communities.

33
34 The small boat operators have basically
35 been driven out of bay in Unalaska. We went from like
36 15 small boats to down to like four that actually
37 continue to try to fish. So I think this is probably a
38 wake-up call for smaller communities. Unalaska is a
39 big community, yet these guys seem to think they can
40 pull right up on the beaches and drag whatever they can
41 out of the bay and continue out to the Bering Sea after
42 they've cleaned it up.

43
44 That's one of my concerns and we'll
45 continue to fight that
46 at the tribal council level. We're going to request
47 that they cease and desist at some point once we get a
48 proposal together that's agreeable to other five, four
49 entities in our community. That's from Unalaska right
50 now as one of the big issues this last year.

1 We'll move on now to .805 , Page 5.

2

3 MR. HOLMES: Mr. Chair. Having spent
4 many years at Unalaska walking streams and talking to
5 some of the elders, like Walter Diakanoff and some of
6 your family and the advisory council, I would suggest
7 maybe our Council sometime during our meeting draft a
8 resolution of support for the Unalaska subsistence
9 community for their efforts to restrict dragging in
10 Unalaska Bay.

11

12 ACTING CHAIR TUTIAKOFF: Yeah, that
13 would be fine. I have the actual proposal. I think
14 it's 62 if I m not mistaken, but I'll check on that.
15 We brought forward to the Board of Fish at the last
16 meeting. At one point we had approval and then a
17 majority of the Council Board would have approved the
18 actual closure and the company in question brought a
19 proposal on the floor to break it down to one month or
20 two months. Dropped the September. Rather than lose
21 the whole battle, we took a little bit anyway. So,
22 yeah, we'd appreciate it.

23

24 Okay. On this Page 5, it's .805
25 report. Do you want to take it over, Tom.

26

27 MR. JENNINGS: Thank you, Mr. Chair.
28 It's just a one-page summary of the Federal Subsistence
29 Board's action in January that dealt with the crab
30 proposal that you're familiar with and you'll be
31 reconsidering today. The Board voted to defer and
32 their justification was that this action will allow
33 additional time for the Council and State to address
34 new data and work to clarify regulatory language and
35 define affected areas.

36

37 One thing to note on the Federal
38 Subsistence Board, you do have two new public members
39 on there and they were the two no votes that did vote
40 more or less aligned with the subsistence users on
41 that. So that's just a side note.

42

43 Thank you, Mr. Chair.

44

45 ACTING CHAIR TUTIAKOFF: Thank you. At
46 this time, if there's no more discussion on .805
47 report, we'll go to Item 10 and welcome the elders in
48 the group here. I saw Iver here earlier. Where did he
49 go? Oh, he's over there. Council likes to recognize
50 all elders whenever they do show up. They are a main

1 part of our information gathering and we support their
2 efforts to continue to support the Council in all the
3 communities.

4

5 At this time I will ask for the public
6 and tribal comments. I received three and I'll take
7 them in order, I guess. Do we have Vikki Jo Kennedy
8 here.

9

10 MS. KENNEDY: Did Iver want to go
11 first, the elders first maybe.

12

13 ACTING CHAIR TUTIAKOFF: Yeah, I'll
14 take Iver. There you are. Didn't see you over there.
15 Iver. Welcome, Iver.

16

17 MR. MALUTIN: Good morning. I just
18 want to thank you. The elder tradition is something
19 that I'm really, really thankful that we're even
20 thinking about today because so many times we forget
21 about it.

22

23 The reason I'm here, I was born in
24 Kodiak in 1931. That means I've been here almost 82
25 years. I'm looking at the composition of this board
26 and little do I see as far as the history of the
27 lifestyle of the Natives in the past of Kodiak. Even
28 though you're making good decisions based on the
29 information you have, the information you have is only
30 part of the information that you really need to make a
31 good decision.

32

33 When I heard a person talking about
34 World War II, really he didn't really know what he was
35 talking about in a way because there was only 430
36 Natives in Kodiak in 1932. By your standards, the
37 census in probably 1940 said that there were 10,000
38 Army came in here and 2,000 civilians. In 1939, I was
39 fishing with my dad out at Buskin, I was eight years
40 old, and we fished for Kadiak Fisheries. Kadiak
41 Fisheries had a plant that is known by Ocean Beauty.
42 They had that there and the way that I know that is
43 George Naughton, a renowned member of Kodiak for years,
44 told me that he worked in that plant in Kodiak in 1939.
45 I would go to Buskin with my dad and we'd get fish and
46 he rowed, there weren't no engines. They'd deliver to
47 Kadiak Fisheries and in 1939 they moved the cannery to
48 Port Bailey. So that's how I could relate that to that
49 time.

50

1 I'm trying to speak with you with as
2 much fact as I can. I think I've still got a pretty
3 good memory. So our lifestyle at that time we had no
4 refrigeration. Even at that time they had learned how
5 to preserve food. Today, myself, the best way that I
6 like fish is salted, soaked and boiled. Humpies are
7 our prime fish.

8
9 To look at probably the composition of
10 this board, if I asked you what was the most important
11 fish to you, I don't think it would be the pink salmon.
12 I don't think so. We would have five to ten barrels of
13 pink salmon in the shed so we could get through the
14 winter, preserved in salt. They dried fish. People
15 knew how to take care of fish, dried fish. Canning was
16 very, very minimal.

17
18 Anyway, we lost all of that and I'm
19 still trying to live my lifestyle. Somebody told me
20 what are we going to do if you go urban. Probably I'm
21 going to go to jail and I'll probably die in jail
22 because they don't have enough enforcement to stop me
23 if I'm out where they're not at because I'm not going
24 to stop living my lifestyle. I'm not. I say that
25 honestly. Probably hundreds of other Natives are going
26 to say the same thing, so you're going to have to build
27 bigger jails, more blankets, more beds, because there's
28 going to be a lot of us and we'll have a nice little
29 village in that jail.

30
31 So, anyway, what really, really upset
32 me, the person in Fairbanks is talking about a person
33 in Kodiak. To me, if you were to take a rating on a
34 scale of 1 to 5, I'm not sure what your preparation is,
35 if you live in Kodiak and you're talking about Sand
36 Point, King Cove, Hoonah, whoever you're talking about
37 what your rating would be, in Kodiak it would be 5, but
38 for some of the others, if you don't get the
39 information, it's going to be zero or, if your
40 secretary sends you the work in time, it will be
41 between 1 and 5. So that man in Fairbanks doesn't know
42 what he's talking about. I don't think so.

43
44 My mother said if you weren't there,
45 you didn't see, you can't say. If you were there, you
46 did see, be awful careful what you say. You guys heard
47 me say this a lot of times and I'm sorry for
48 repeating myself, but I see new people on this board
49 and I hope I'm not boring.

50

1 So for that reason I was looking at Tim
2 Towarak's report and probably you guys memorized this
3 thing. He put two Natives on the Federal Advisory
4 Board, one from Barrow and one from Hydaburg. We got
5 to get on the ball right here in Kodiak. I'm sorry to
6 say, but from some of the other areas that are more
7 coastal communities than Hydaburg in our area because
8 our needs are so much different. This was mandated by
9 President Obama.

10
11 Look at what he said. We look forward
12 -- this is from Tim Towarak. We look forward to
13 engaging more directly with the tribes and the Board in
14 the regulatory process. So, in the past, it was really
15 hard to work with them. It may not be that bad now
16 because he also said the Regional Advisory Council will
17 continue to play a central role in the Board's
18 regulation process as well as the tribes.

19
20 So if they're saying that, we're going
21 to have more teeth in our mouth than we had five, six,
22 seven years ago when we went for that urban and rural
23 and we're going to have more clout. So I would like to
24 see all the villages that are coastal communities, King
25 Cove, Sand Point, Kodiak, work more closely together on
26 this because if Kodiak fails in this, then it's going
27 to be detrimental to the other ones that follow.

28
29 The reason is, if you look at the
30 composition of the Board, there's not many Natives
31 represented and our numbers are really down. For us to
32 get what we want it's going to be really, really
33 difficult just like it was in World War II when all the
34 people came in. Beyond that, 30, 40, 50,000 military
35 moved into Kodiak. We were more devastated than Attu
36 and Kiska and the people don't even know it.

37
38 My brother was running a barge around
39 the island in the Army supplying all the outposts.
40 There were 12 outposts on the island and there were
41 thousands of people here. Here's where we could use
42 your help. We're going to the Coast Guard because in
43 1941 they took 26,000 acres of land for the military
44 and they needed it based on the number of people they
45 had, but now there's only 3,500 Coast Guard out there,
46 4,000 at the most, super nice people, the best base in
47 the United States, and I just want to tell you that
48 we're working with them and they're going to give us
49 all the land back, hopefully, that they don't need. We
50 don't want any of the land that they may need and we

1 told them this or we're telling them this and this is
2 all very unofficial right now.

3

4 In the future, if there's any
5 development that's going to come up that we have no
6 idea what the new technology is or going to be, we will
7 get land available for you to take care of the new
8 technology and that's how the tribe in Kodiak, the
9 Sun aq Tribe, and that's who we are. I was the
10 chairman of the Sun aq Tribe, but now I'm just a little
11 old man, 82 years old, an advocate. I was on the
12 Commission on Aging, I was on the Prince William Sound
13 Council. I was on the College Board when Egan
14 appointed me. Now I'm just a little old man 82 years
15 old and I'm harassing the troops.

16

17 I just want to live my lifestyle and I
18 want all the people that are Native people to get as
19 much as they could. We're not saying that anybody else
20 shouldn't have any. Not at all. We never say that
21 when we talk to the Coast Guard. It's not only about
22 Iver Malutin, it's about everybody. But please give us
23 a little more consideration in making your decisions.
24 I really appreciate you guys coming here. Keep up the
25 good work.

26

27 Thank you.

28

29 ACTING CHAIR TUTIAKOFF: Thank you,
30 Iver. I appreciate your vast knowledge and your
31 support of the community of Kodiak and the villages
32 throughout here. You've sat and given us these
33 comments about every time we've been here and I, for
34 one, appreciate the history that you give us here.

35

36 Thank you.

37

38 MR. MALUTIN: Thank you.

39

40 ACTING CHAIR TUTIAKOFF: I'd like to
41 welcome Melissa Berns, a new member to the Council from
42 Old Harbor. We've got Pat Holmes here, Pete
43 Squartsoff, Rick Koso, Sam Rohrer, Tom Schwantes,
44 Antone Shelikoff and on the phone we've got Mitch
45 Simeonoff, the Chair, and Della Trumble in King Cove.
46 I am Vince Tutiakoff, Acting Chair today.

47

48 We'll continue with public comments.

49 Vikki Kennedy.

50

1 MS. KENNEDY: Good morning. It's
2 always nice to follow Iver. I adore that, as he says,
3 little old man. Anyway, I'd just like to say to you
4 that I'm really concerned about Kodiak's determination
5 as a rural community. That is my biggest concern.
6 We've kind of heard this rattled before. That's number
7 one. I don't know how it's back up for option. I mean
8 you consider in the whole Borough, including Kodiak --
9 now I don't know if this is just going to mean Kodiak
10 Island itself or all of our Archipelago and maybe
11 including some of the villages that are in our Borough.
12 I just really -- it's kind of loose.

13
14 I'm not sure what all it's going to
15 entail because the Borough, as most of you I'm sure
16 know, it includes some of the peninsula as well in our
17 Borough. This just can't -- it just can't happen.
18 There's too many people, including most of our Native
19 villages by far. I think I remember there are still
20 eight. I mean I don't want to pit one group of people
21 against another, but they have been here at least
22 13,000 years. I totally support their subsistence use
23 and I, for one, will go to jail with Iver if need be
24 because it just can't happen. You can't take away --
25 or they can't take away -- I know you guys will fight
26 for us. I appreciate that.

27
28 Something else that was brought to my
29 attention during the -- when you guys were putting
30 comments in and this has come up before other boards is
31 our fisheries is number one. The draggers, trawlers,
32 that are still allowed to be dragging down in
33 Sitkalidak Strait, they've done a lot of devastation
34 down there to the village of Old Harbor and Akhiok.
35 They pretty much take anything they need or want and
36 the village people, they mostly all have small skiffs,
37 so weather determines how far they can go.

38
39 So the Sitkalidak Strait area is very
40 important to them. During the meeting last June, not
41 with you all but with -- I think it was the National
42 Marine Fisheries. I can't remember which one. There's
43 so many, but we do try to attend a few. I just think
44 that that ought to be considered too because a lot of
45 their subsistence -- they're being pushed further and
46 further out to gather their subsistence fish down
47 there.

48
49 So that's a big concern too for the
50 draggers in that area around the villages. I know they

1 closed off some to the Karluk because that drainage was
2 really hurting for the king salmon returns down there,
3 as all of them are.

4

5 Number one is I just really don't want
6 Kodiak to lose its rural determination. Maybe just
7 count the people who live here year round, not summer
8 residents. I'm not sure how that's going to work, but
9 that's what I think is number one, our rural
10 determination. We have to keep it for the Kodiak
11 Island and its archipelago.

12

13 I appreciate you being here for us.

14

15 Thank you very much.

16

17 ACTING CHAIR TUTIAKOFF: Thank you for
18 your comments. The issue of Sitkalidak and maybe the
19 Old Harbor and other small communities should take a
20 look at it and ask for a survey. That's how we got
21 started.

22

23 MS. KENNEDY: Thank you.

24

25 ACTING CHAIR TUTIAKOFF: Okay. Next is
26 Rick Rowland.

27

28 MR. ROWLAND: Thank you. My name is
29 Rick Rowland. I'm the Natural Resources director for
30 Sun aq Tribe of Kodiak. I'm going to take this
31 opportunity related to public comments to speak about
32 some stuff that I think is important to Alaska Natives
33 in the area. Then I was asked for comments later
34 regarding the Emperor Goose, so I'll stick around for
35 that.

36

37 Last year I saw a graph presented by
38 Alaska Department of Fish and Game that said 98 percent
39 of the fisheries in Alaska that are taken are taken
40 commercially. Out of that percentage, 2 percent is
41 left and that's carved up for sports fishing and
42 personal use. When I saw that, I thought that the
43 truth shows in that graph that subsistence is not
44 recognized by the State of Alaska for the reality of
45 what it is. We have to argue about all types of
46 traditional and customary foods that we have to gather,
47 not only with the current laws but the proposals that
48 are brought to the different entities that sit and
49 discuss these boards.

50

1 Also I have to make a comment about the
2 sea lion population decline. Over the last 50 years
3 the population of the sea lions have gone from 400,000
4 in the North Pacific down to 40,000. That's a decline
5 of 90 percent. I'm not sure why they're declining like
6 that. There could be a few different reasons. A
7 couple of them right off the top could be maybe they're
8 starving. They don't have enough food out there.
9 Maybe there is some sort of disease that's out there
10 that's killing them off. Maybe they are being taken
11 too much by the draggers. But that trend of population
12 decline is drastic and something needs to be done to
13 take a look at that to where we find a way to keep
14 those sea lions around.

15
16 In the Kodiak area, as you know, we're
17 ongoing with the last few years with the Federal
18 Aviation Administration related to an environmental
19 impact statement about the airport that's going to be
20 extended out here. It turns out that it's moved
21 towards the mitigation process and in that mitigation
22 process they have flipped a flag that says they had to
23 have comments related to
24 ANILCA. So under that ANILCA comments the Sun aq Tribe
25 of Kodiak requested that because of so many things that
26 will be affected from the 17-something acres of fill
27 that's going to be put into that Buskin area out here,
28 that a couple of programs be implemented in the Kodiak
29 area related to clam enhancement, paralytic shellfish
30 poisoning testing or assistance with salmon
31 enhancement.

32
33 Just as a point of information, the
34 Sun aq Tribe of Kodiak recently won a tribal wildlife
35 grant to do a salmon enhancement project at the Buskin
36 River and we're currently working on that with a
37 biologist. In discussions of that tribal wildlife
38 grant we had a chance to meet with the Kodiak regional
39 planning team who deals with fish on the Kodiak Island
40 area and we had a chance to talk with Alaska Department
41 of Fish and Game representatives and the Kodiak
42 Regional Aquaculture Association.

43
44 One thing to note during that meeting
45 was that we had a couple things to talk about. One
46 thing that stood out was noting that there's a high
47 amount of bear population on Kodiak Island, there's a
48 much larger eagle population on Kodiak Island, and
49 there's also a significantly higher trout population,
50 which all could be considered predators to salmon in

1 the streams.

2

3 It makes it important to note that
4 these discussions are about subsistence. It's about
5 customary and traditional practices that are used by
6 people. Two quick stories. Recently we had a long-
7 time person that's in our community that's 102 years
8 old. Last winter we took him some ducks and instead of
9 visiting -- we made soup, took him duck soup, and
10 instead of visiting he said I don't want to visit.
11 I'll just take this time to eat duck soup. He was so
12 happy to get that duck soup. That's Johnny Pesterkoff
13 in Port Lions.

14

15 Then also recently Patty Mullan passed
16 away, a member from our community. Excellent man,
17 wonderful provider for the community. One of the few
18 things that he said -- that the priest mentioned at his
19 funeral was that one of the things he said when he was
20 passing away last week was that he would be able to
21 take a silver salmon to his wife in heaven.

22

23 So when we come to you and we talk to
24 you about how important this is to our life, it means a
25 lot to us about how much of a priority it is to us. So
26 I just wanted to make those comments and let you know
27 that this is important work that you guys are doing and
28 it has to be a priority because if our community loses
29 that right, we lose our culture and then we're not
30 allowed to exist after we lose our culture.

31

32 The thing that keeps glaring in my mind
33 is this rural/nonrural determination. We've had
34 meetings about it, discussions. We're working to find
35 a way to keep it rural here. From one thing that keeps
36 coming up is that if this area in Kodiak is determined
37 nonrural, that would make it illegal for people that
38 are living a subsistence lifestyle in a community to
39 send customary and traditional foods to someone that is
40 living in Kodiak and we can't have that. We just
41 can't.

42

43 So I'm challenging you all to fight as
44 hard as you can to represent all of us in the community
45 that are looking for assistance to where we don't have
46 to argue anymore.

47

48 Thank you.

49

50 ACTING CHAIR TUTIAKOFF: Thank you,

1 Rick. I appreciate your comments. We'll continue to
2 support Kodiak in its rural definition. We have one
3 more here, Paul Chervenak.

4

5 MR. CHERVENAK: Good morning, Mr.
6 Chairman. Members of the Council. My name is Paul
7 Chervenak and I'm chairman of the Kodiak Fish and Game
8 Advisory Committee. As the panel alluded to earlier, I
9 thought I'd give you a quick report of our discussions
10 regarding mountain goats and deer and then Board of
11 Game actions.

12

13 As you know, our Joint Mountain Goat
14 Committee made up of members of the RAC and the Fish
15 and Game Advisory and the U.S. Fish and Wildlife
16 Service and all of our local villages had a proposal to
17 increase the bag limit to two goats at the south end of
18 Kodiak and extend the season in an effort to help curb
19 the population and also provide more opportunity. We
20 had a fair amount of discussion at our advisory
21 council. Just some finer things as far as possession
22 limit. And then the Goat Committee had a proposal in
23 to count a wounded goat as a dead goat just out of
24 ethics.

25

26 The Board of Game took these up. They
27 did pass the two goat harvest limit and made the season
28 now from August 20th to March 20th. They didn't go
29 along with having only one in possession. They figured
30 that was a little bit burdensome. Since we are trying
31 to increase harvest, we had some concerns just as far
32 as a person shooting two goats in the field and not
33 being able to get all the meat out and have wanton
34 waste, but they were hoping that people are ethical and
35 stay on top of that.

36

37 So they did pass the two goat limit and
38 extended the season to March 20th. They did not pass
39 the wounded goat counted as a taken goat. There's been
40 a realization this is sort of unenforceable. It's an
41 ethical deal. Especially in this case we're trying to
42 harvest goats, they decided not to implement that.

43

44 We also had quite a bit of discussion
45 regarding the deer. As everybody knows, we had a tough
46 winter last winter and the deer population on Kodiak
47 was drastically reduced. There's been a lot of talk
48 about reducing the hunting season in our discussions,
49 especially the Department, a lot of people from around
50 the island. The controlling factor we figure is our

1 hard winters. Hunting pressure is a small part of it
2 that we already have with our reduced three-deer limit
3 after the last hard winter in '05 AND things in place
4 which help bring the deer population back.

5
6 Since the U.S. Fish and Wildlife
7 Service wasn't going to reduce their harvest on Federal
8 lands, we decided there wasn't much we could do season
9 wise as far as reducing the bag limit or anything that
10 would ultimately affect the deer herds. The east side
11 was definitely hit a lot harder than the west side.
12 The west side is doing okay. There were some problems
13 with mature buck deaths on the west side. Some of that
14 was a buck/doe ratio problem. So cutting out the doe
15 season actually may not help bring back the herd.

16
17 So, in the long run, the Board of Game
18 agreed that overall they're not going to change
19 anything with the deer season. They've acknowledged
20 there will be a fair amount of reduced hunting pressure
21 just because the transporters know there aren't deer
22 out there and aren't going to take business and other
23 people reduce their harvest. Hopefully this mild
24 winter really helps bring them back quick.

25
26 That s a quick report. If you have any
27 questions, I'll be happy to try to answer them.
28 Otherwise, thank you.

29
30 ACTING CHAIR TUTIAKOFF: Thank you for
31 the report.

32
33 Pat, go ahead.

34
35 MR. HOLMES: Mr. Chair. Paul. There
36 was -- I remember in the discussions on the season.
37 Would you elaborate on the reason for extending the
38 season into March and particularly how that relates to
39 villages.

40
41 MR. CHERVENAK: We thought it would
42 greatly help increase the opportunity, especially for
43 the people near the goats to have the opportunity. We
44 looked at various dates. We didn't want to get too
45 close into the spring breeding season. There's some
46 concern whether the meat will be of any good quality.
47 Hair quality should be very good, but we thought we'll
48 let that be determined. The Department went along with
49 -- and then what's reasonable for reporting in their
50 time frame with other things going on, so that's how we

1 came up with a March 20th date. We thought it gave
2 ample opportunity, yet took into these other
3 considerations.

4

5 MR. HOLMES: At that time the goats are
6 generally down lower, so folks, as you mentioned, that
7 are living out in the villages might have better access
8 to them. I know that was one of the points that Mitch
9 pointed out when we had discussions.

10

11 MR. CHERVENAK: Thank you.

12

13 ACTING CHAIR TUTIAKOFF: Thank you.

14 We'll take -- Tom.

15

16 MR. JENNINGS: Thank you, Mr. Chair.
17 You're ready for a break I bet. I just wanted to make
18 one comment first before you do. Since several
19 speakers referred to the rural determination process
20 and their concerns, we will be taking up the rural
21 determination process under new business 12(B) and
22 Steve Fried will present what's going on for that.

23

24 Also what Pat Holmes described was that
25 there's a joint board process and that's separate.
26 There's two processes, as you're all quite familiar,
27 the State and the Federal processes. So that process is
28 different than what we're dealing with, but you need to
29 be informed because it will affect subsistence users,
30 whether you're operating under State or Federal laws.

31

32 Thank you.

33

34 ACTING CHAIR TUTIAKOFF: Okay, thanks,
35 Tom. We'll take about a 10 minute or 5 minute break.
36 Those of you online will hopefully be back here and be
37 with us.

38

39 Thank you.

40

41 (Off record)

42

43 (On record)

44

45 ACTING CHAIR TUTIAKOFF: Okay. We'll
46 call it back to order. Before we move on we have
47 several agency representatives here and I'd like to ask
48 that you state your name and what agency you're with or
49 what company you're with, all the people sitting out
50 front here so we can get you on record. I know you

1 will eventually, but for those on the telephone they
2 might like to know who is here. So maybe we'll start
3 from right over here and work our way that way.

4

5 MS. YUHAS: Thank you, Mr. Chairman.
6 I'm Jennifer Yuhas. I'm with the Alaska Department of
7 Fish and Game, the Federal Subsistence Liaison Team. I
8 haven't seen you since the Cold Bay meeting. I'm glad
9 to be back and welcome to the new members.

10

11 MR. CRAWFORD: My name is Drew
12 Crawford. I'm also with the Alaska Department of Fish
13 and Game, Federal Subsistence Liaison Team in
14 Anchorage.

15

16 MR. BERG: Good morning. I'm Jerry
17 Berg. I work for Fish and Wildlife Service out of
18 Anchorage. I serve as liaison between OSM and our
19 Refuges and also serve as an advisor for our Federal
20 Subsistence Board member Geoff Haskett, the Regional
21 Director for Fish and Wildlife Service.

22

23 MR. FRIED: Good morning. My name is
24 Steve Fried. I'm with the Office of Subsistence
25 Management and I'm the fishery division supervisor.

26

27 DR. CHEN: Hello, Council members. My
28 name is Glenn Chen. I'm the subsistence branch manager
29 for the Bureau of Indian Affairs.

30

31 MR. COBB: Good morning. My name is
32 McCrea Cobb. I'm a wildlife biologist here for the
33 Kodiak Refuge.

34

35 MR. CUMMISKEY: Hi, I'm Pete Cummiskey.
36 I'm with NOAA Fisheries here in Kodiak and I'll be
37 doing a little talk on ghost fishing in Womens Bay this
38 morning.

39

40 MR. CHERVENAK: I'm Paul Chervenak and
41 I'm chairman of the Kodiak Fish and Game Advisory
42 Committee.

43

44 MR. DONALDSON: Wayne Donaldson. I'm
45 with Alaska Department of Fish and Game based here in
46 Kodiak.

47

48 MR. ROWLAND: Rick Rowland with Sun aq
49 Tribe of Kodiak, natural resource director.

50

1 MS. LEE: Hi. Tonya Lee with the
2 wildlife Refuge here and I'm a local contact person for
3 the villages and community. Refuge Information
4 Technician, RIT, that's my title.

5
6 MS. BUMSTED: I'm Pam Bumsted. I'm
7 with Sun aq Tribe and I'm working on subsistence
8 projects under natural resources as the environmental
9 projects manager.

10
11 MS. KENNEDY: I'm Vikki Jo Kennedy and
12 I'm just a citizen of Kodiak Island in the state of
13 Alaska.

14
15 ACTING CHAIR TUTIAKOFF: Well, welcome
16 all and thank you. We'll get back on our agenda here.
17 Pat had a comment.

18
19 MR. HOLMES: Yes, Mr. Chair. I was
20 going to ask Rick Rowland a question, but really I'll
21 just spin off and I just wanted to compliment all the
22 tribes, Sun aq, Native Village of Afognak, the Woody
23 Island folks, the Fish and Game Advisory Committee and
24 everybody in town because everyone worked tremendously
25 hard over, what, the last two -- no, it's been seven
26 years, a long time on the airport issue and the folks
27 were able to convince -- particularly because of
28 subsistence impacts. We even had the conservationists
29 at Audubon and the Parks work on the issue, and the
30 FAA. Probably the first time I've ever seen Federal
31 government on anything here in Kodiak in 45 years back
32 down. So they compromised and took the main east/west
33 runway and reduced that by 400 feet and on the
34 north/south runway they moved their extensions to the
35 south out towards -- basically to the south so that it
36 would minimize the need to build anything on the spit
37 at the mouth of the river because you need to let that
38 be free. Even though the extension may have some
39 potential impacts on salmon, they acknowledged that at
40 the ANILCA hearing and folks pressed hard and I wanted
41 to again compliment Sun aq and Rick for keeping them to
42 consider in their mitigation efforts or not even
43 mitigation, but the need to have salmon smolt
44 monitoring at the Buskin so that they can keep an eye
45 on cause and effort.

46
47 Again, I guess my hat is on the floor,
48 but my hat is off to all the tribal folks and Sun aq
49 for all their hard work on that airport issue because I
50 think it will eventually be not having a loss, but

1 we'll have to wait and see.

2

3 It was a good show.

4

5 Thank you, everybody.

6

7 ACTING CHAIR TUTIAKOFF: Thanks, Pat.

8 We also have Jack Lorrigan. He's the Native liaison
9 right back here. Introduce yourself. A little bit of
10 what your job is. I know that position has been vacant
11 for several years.

12

13 MR. LORRIGAN: Thank you, Mr. Chairman
14 and Council members. My name is Jack Lorrigan. I'm the
15 Native liaison for the Office of Subsistence
16 Management. I'm originally from Sitka. I got my degree
17 from Sheldon Jackson. I've commercial fished all
18 around Southeast. I was a subsistence gatherer up
19 until last August when I became urban and moved to
20 Anchorage to take this job, otherwise I'd be setting
21 branches in Sitka right now. The herring are in, the
22 fleet is in, the eagles are in, the whales are in.

23

24 I'm a tribal member of the Sitka Tribe
25 of Alaska. I'm from the Coho clan. My name is Klei
26 si'eesh. That's a Dog Salmon name. Kaa Wootk' is a
27 Coho name from Sitka. My job is to bring the cultural
28 perspective to the table at OSM and to bring an
29 understanding of the Federal side to you so we don't
30 have a lot of conflict. Try to reduce it as much as
31 possible so there's more understanding.

32

33 I've got Southeast pretty well covered.
34 I'm Tsimshian, Tlingit and Haida by decent. Everything
35 south of Yakutat I have a good understanding of.
36 Everything north of there I'm still learning. It's an
37 honor to be here in the Sun aq people's land.

38

39 Thank you for hosting.

40

41 I guess that's a pretty brief
42 introduction.

43

44 Like I said, my job is to bring a
45 cultural understanding to the regulations, the
46 proposals, any of the things that affect tribes.
47 Consultation is going to be a big part of my job,
48 interacting with tribes all over the state. It's going
49 to be a challenge, I think, for everybody involved and
50 I'm looking forward to it.

1 Thank you for your time.

2

3 ACTING CHAIR TUTIAKOFF: Thank you,
4 Jack. We'll look to you for any information you might
5 need in regards to how we make our decisions and how it
6 affects our people up and down the Aleutians here in
7 Kodiak.

8

9 Thanks.

10

11 MR. LORRIGAN: Thank you, Mr. Chair. I
12 handed my card around, so it should be in front of you.

13

14 Thank you.

15

16 ACTING CHAIR TUTIAKOFF: Thank you.
17 Now we'll get back on here. We're on Page 8, which is
18 the annual report.

19

20 MS. MELENDEZ: Mr. Chair, if I may
21 interrupt.

22

23 ACTING CHAIR TUTIAKOFF: Go ahead,
24 Della.

25

26 MS. MELENDEZ: This is Leticia from
27 Izembek. I'm sorry, Mr. Chair. I'd like to announce
28 our presence. I have Shawn Bayless, who is the acting
29 Refuge manager here for a couple weeks and is from
30 Region 6. He's sitting in on the call. I have our
31 newest biologist Stacy Lowe, who will be going over the
32 RAC report with you all, and myself, Leticia Melendez,
33 the deputy Refuge manager. I will be happy to share
34 some of the Federal subsistence hunting details in
35 which you all are inquiring. I just wanted to announce
36 our presence and let you all know that we're here on
37 the call.

38

39 Thank you, Mr. Chair.

40

41 MR. JENNINGS: Thank you, Leticia. I
42 appreciate that.

43

44 ACTING CHAIR TUTIAKOFF: Thank you.
45 Welcome on board. Move on to the approval of draft
46 annual report, old business, Page 8. Tom.

47

48 MR. JENNINGS: Thank you, Mr. Chair.
49 If I may, I just wanted to point out it is a draft
50 annual report from 2012. You discussed a lot of items

1 at your meeting in Sand Point and from that we pulled
2 out the primary concerns that you had. I will say
3 after hearing some more talk about deer today there was
4 some discussion at that meeting in regards to deer. So
5 if that's something that you decided you wanted to
6 bring into this report, this is a draft form yet and we
7 can adjust it accordingly.

8

9 Thank you.

10

11 ACTING CHAIR TUTIAKOFF: Okay, thanks.
12 I remember there was discussion on the deer issue, but
13 if you can add that in there with one of the items,
14 then that would be great. Did we approve this? It's
15 already been sent anyway.

16

17 MR. JENNINGS: This is the draft
18 report. We also have a reply from the 2011 one that
19 follows it. So this is an action item for the Council
20 to take action on. If you do want to add any items to
21 this, now would be the time to do that based upon what
22 your concerns are.

23

24 Thank you.

25

26 ACTING CHAIR TUTIAKOFF: Go ahead, Sam.

27

28 MR. ROHRER: Yeah, I think we should
29 add -- I'm not sure if we need to add anything on deer.
30 I mean certainly it's a concern, but, frankly, it's not
31 -- I don't know if there's anything that the
32 Subsistence Board can do about that, but we certainly
33 should add an item on the rural determination process.

34

35 ACTING CHAIR TUTIAKOFF: We'll be
36 having discussion on the rural determination and I'd
37 ask if maybe we could hold off action on this
38 particular letter or report 2012 until after we've had
39 time to fully understand where we're at and what we can
40 do. Maybe toward the end there we can add -- somewhere
41 in here we can add the.....

42

43 MR. KOSO: 12(B).

44

45 ACTING CHAIR TUTIAKOFF: 12(B), yeah,
46 it comes up there, but as far as taking action on these
47 action items, maybe we can find a place like 13 or 12.
48 Go ahead.

49

50 MR. JENNINGS: Thank you, Mr. Chair. I

1 know last year what you did is you just deferred this
2 to the end of your agenda after all old business, new
3 business and the agency reports and when you've had a
4 full opportunity to hear various concerns and
5 questions. I mean you'd have as much information as
6 you'd need and you can do that before you set your
7 meeting dates. That's what you did last year anywhere.

8

9 Thank you.

10

11 ACTING CHAIR TUTIAKOFF: Maybe we can
12 add it as E under 13 as action items and just leave it
13 open. That will give us more time to fully get
14 involved with the rural determination issue and maybe
15 come up with -- also, at that time, maybe put that
16 resolution for support of Unalaska Bay closure on that
17 agenda. Antone asked where it would go, so that's
18 where it would go.

19

20 All right. Hearing no more discussion
21 unless you have some more items you want to add to this
22 letter, we'll move on.

23

24 MR. HOLMES: Mr. Chair. I agree with
25 moving that later until we have our discussions and we
26 could probably add some verbiage about the crab
27 proposal and our original intent on that was to have
28 active enforcement, but I'll put some words together on
29 that. I'd also suggest when we get to the end maybe
30 adding something on support for travel, but I know
31 things are tight.

32

33 Thank you.

34

35 ACTING CHAIR TUTIAKOFF: Okay, thanks.
36 So far I have the letter of 2012, the Unalaska closure,
37 the travel issue and what was the other one?

38

39 MR. HOLMES: The crab issue and
40 enforcement.

41

42 ACTING CHAIR TUTIAKOFF: Okay. So far
43 we have four action items to consider under 12(E).

44

45 MR. KOSO: 13.

46

47 ACTING CHAIR TUTIAKOFF: 13(E), excuse
48 me. Okay. At this time we'll move to old business (B)
49 and it's the king and tanner crab pot regulation and
50 the Kodiak area deferred FP13-14, Page 15 in your

1 packet. Who will lead us in this discussion here?

2

3 MR. JENNINGS: Kay, are you online?

4 Kay Larson-Blair, are you online?

5

6 (No comments)

7

8 MR. JENNINGS: Oh, it's your show.

9

10 MR. FRIED: Good morning. My name is
11 Steve Fried with the Office of Subsistence Management.
12 We were going to have Kay Larson-Blair, who is the lead
13 analyst on this, provide information, but she's not
14 online right now. She told me that she might have to
15 take one of her daughters to the doctor or something
16 today. She wasn't sure when she'd be online. I've got
17 her talking points, so I can do that.

18

19 On Page 15 in your books is the
20 executive summary for FP13-14. In general, if the
21 proposal were adopted, then the current crab pots that
22 are being used would have to be modified to meet the
23 eye-opening dimensions and other things. The buoys had
24 to be labeled as to whether the pot was a king or
25 tanner crab pot. There would be a maximum size for
26 these pots. Currently there isn't. I think existing
27 pots though that are currently used would probably fall
28 into that range with the maximum size anyway.

29

30 The proposal would also limit, as you
31 already know, the king crab pots per vessel to only one
32 pot. Multiple users could fish that pot, but there
33 would only be one pot per vessel if the proposal were
34 adopted.

35

36 When the Board looked at this and it
37 was discussed, you'll hear a report from NOAA later.
38 Essentially it was on ghost fishing of derelict crab
39 pots in Womens Bay. There was some new information
40 provided from this report essentially that there was a
41 mortality estimate, which we didn't have before -- two
42 years ago NOAA gave us a report and told us about the
43 importance of Womens Bay as a king crab nursery area.

44

45 They also did discuss the concerns they
46 had with derelict pot fishing, but this is the first
47 time they actually came up with a mortality estimate.
48 I think it was between 16 to 30 percent of the red king
49 crab in Womens Bay are being killed by crab pots every
50 year. They'll go into that. Hopefully I got that

1 right.

2

3 I think they mentioned there were 143
4 crab pots that were derelict that they had counted, 62
5 percent of them were intact and didn't have the
6 required biodegradable twine, so that was a problem.

7

8 This proposal before you really doesn't
9 address this ghost fishing problem. There is a Federal
10 subsistence regulation under the general provisions for
11 the taking of shellfish that does address this and crab
12 pots are supposed to have escape mechanisms and this is
13 lined out in the regulation. It's basically a
14 biodegradable panel. So if the pot is lost, it's
15 supposed to rot out and provide a route of escape for
16 anything that gets caught in a pot. Evidently some
17 people haven't been doing that, but there is a
18 regulation. It's more of an enforcement problem.

19

20 The other thing Kay wanted to bring to
21 your attention is that -- and I'm sure that the Alaska
22 Department of Game will talk about this too, but
23 there's several parts within this proposal and at the
24 Board meeting the Department did say that some of these
25 parts were more important to them than others and
26 they'd be willing to discuss which they thought were
27 more critical in their view for crab conservation and
28 which ones weren't all that important.

29

30 I don't know if I need to go into any
31 other detail at this point. I just wanted to give you
32 a short summary just to sort of refresh your memories
33 on that. The Council did vote to oppose this. The
34 Board, when they looked at this, did vote to defer it
35 and would like -- they specifically said they'd like to
36 hear more discussion about this proposal between the
37 Council, Alaska Department of Fish and Game and other
38 parties involved.

39

40 ACTING CHAIR TUTIAKOFF: Pat.

41

42 MR. HOLMES: Mr. Chair, Steve. From
43 reading the minutes of the Federal Board meeting and
44 going back to our meeting when we originally, a couple
45 years back, expressed our concern about the
46 difficulties and total lack of enforcement on
47 subsistence crab, and, Mitch, please correct me, but a
48 major interest was the difficulties in State waters
49 down in Alitak and, hence, the original thing was in
50 enforcement.

1 From what I understand, the State put
2 together -- they tried to figure out how can we make
3 this more enforceable and then the State came up with
4 their proposal on how to address it and it was very
5 complicated. Our Council went on for many hours saying
6 what was wrong with it and sent that to the Federal
7 Board and we recommended that they would not approve
8 it. So the big issue was enforcement, defining what
9 crab pots are, who can fish what and where. As Mitch
10 pointed out in his introductory comments, that's a
11 concern down at the other end.

12
13 The ghost fishing was an additional
14 report that was presented to the Federal Board. So,
15 from my reading of it, it looked like that confused the
16 whole issue. I think later on once we get the report
17 from Pete Cumiskey and talk about it some more, I know
18 our local study group on the issue got together with
19 Wayne Donaldson and the advisory committee and Mitch
20 and a lot of other folks and we talked about some
21 solutions on the proposal, so we'll probably come back
22 to that in a minute. So I think you just kind of got
23 it a little reversed.

24
25 ACTING CHAIR TUTIAKOFF: As we go
26 through our review process procedures, we have agency
27 comments next and we'll ask the Alaska Department of
28 Fish and Game.....

29
30 MS. PETERSON: Excuse me, Mr. Chair.
31 Did you say Alaska Fish and Game?

32
33 ACTING CHAIR TUTIAKOFF: Yes, I did.
34 Alaska Department of Fish and Game.

35
36 MS. PETERSON: This is Chris Peterson
37 in King Salmon.

38
39 ACTING CHAIR TUTIAKOFF: Okay. And we
40 have two reps also here at the table. So introduce
41 them.

42
43 MS. PETERSON: Excuse me again. The
44 phone is really poor. Are you asking for the update on
45 information from the previous year?

46
47 MR. JENNINGS: Chris, good morning.
48 This is Tom Jennings. Right now we're taking up a crab
49 proposal and we have Staff from the Department at the
50 table right now.

1 Thank you.

2

3 MS. PETERSON: Okay. Thank you very
4 much. Sorry about that.

5

6 MR. JENNINGS: All right. You're
7 welcome.

8

9 ACTING CHAIR TUTIAKOFF: Okay.

10

11 MS. YUHAS: Thank you, Mr. Chairman and
12 members of the committee. Again, my name is Jennifer
13 Yuhas. I am the State's Federal Subsistence Liaison
14 Team leader and I have with me Mr. Wayne Donaldson,
15 which many of you know, and Mr. Drew Crawford, who is
16 our fisheries liaison for the team.

17

18 The proposal before you, as Mr. Holmes
19 mentioned, was really drafted out of conservation
20 concerns and the language -- I'm very glad that the
21 Federal Subsistence Board referred this back to you.
22 The Department is very grateful for the opportunity to
23 work with you on changing the language. We were never
24 married to all of the specifics within this. Unlike
25 the advisory committee process on the State side where
26 they meet once a month over the course of the winter
27 and they have many abilities to come back and look at
28 the same thing and make little tweaks to it, the RAC
29 process meets twice a year and you're bound to the last
30 decision at your last meeting. We presented new
31 information before the Federal Subsistence Board, which
32 you were not privy to. We're very happy that the folks
33 at NOAA are here to present that same information to
34 you. We're not sure whether you'll take action simply
35 at this report or wait until after the NOAA report.

36

37 Mr. Wayne Donaldson has some specifics
38 that we're happy to put up on the screen for you should
39 the RAC have any additional amendments or changes to
40 the language that you would be more comfortable with.
41 The Department is very open to this. It was not the
42 intent when this was originally drafted. The Staff who
43 drafted this are no longer with the Department in fact,
44 but it was not our intent to specifically have to
45 mirror the State side. Should you make changes to
46 this, should the Federal Subsistence Board approve
47 those and they be a little bit different, we are very
48 open to going back to the Board of Fisheries and
49 working with them.

50

1 Our main concern is the conservation of
2 the resource. Many of you are aware that we're talking
3 about some small areas down here and we're talking
4 about very minute changes to things, but we've also
5 been looking at some very broad conservation concerns
6 throughout the state for chinook salmon, for caribou.
7 We talk about spawning grounds and we talk about
8 calving grounds. The Womens Bay ghost fishing issue is
9 talking about a nursery ground for the crab. That's a
10 long-term conservation issue that the Department is
11 concerned about.

12
13 We brought the enforcement issue
14 because of the conservation concern again, which all
15 these little pieces add up to the long-term health of
16 the resource and that's our main concern. I'd like to
17 turn things over to Mr. Wayne Donaldson and he is
18 passing out a hard copy of the language that was
19 discussed with the advisory committee and hopefully Mr.
20 Holmes and the advisory committee chair may be able to
21 speak to this issue and assist with the language. We
22 consider this a collaborative effort to try and work
23 for a solution towards this proposal, not to force
24 passage of something that was drafted a year ago.

25
26 MR. DONALDSON: Mr. Chairman. We're
27 just handing out a draft of amendments that were
28 recently discussed between several members of the local
29 Regional Advisory Council and I believe there was a
30 member or two from the local fish and game advisory
31 committee, as well as myself representing the
32 Department. On the handout and the screen as well, we
33 took the proposed regulation that was before the
34 Federal Subsistence Board and I've made some strike-
35 through deletions and some underlying additions to the
36 proposal that was before the Federal Subsistence Board
37 that they delayed and asked that this come back before
38 the local RAC for additional comment.

39
40 The changes that I've made were the
41 points that were discussed locally here in our formal
42 meeting and I'll just go through them. There was four
43 points that I believe the committee that met agreed on.
44 First is that the proposal would define king and tanner
45 crab subsistence pots in Federal subsistence
46 regulations. Currently there are pot limits for king
47 and tanner crab in the Kodiak area, but the pots are
48 not currently defined. So, for example, you have king
49 crab that has one -- you can have one pot for king crab
50 and five for tanner crab; however, there's no

1 definition of what that pot is. So that makes it
2 difficult for the Fish and Wildlife protection to
3 enforce those pot limits.

4
5 The original proposal that went before
6 the Federal Subsistence Board had a maximum pot size
7 definition and that pot size definition is the -- it
8 mirrors the maximum pot size definition that you can
9 have in a commercial fishery. So it's 10 foot long, 10
10 foot wide, 42 inches high. I don't know of any pots in
11 subsistence or in the commercial fishery that are
12 actually that large, but that would be the very maximum
13 that I think you would ever encounter. So the intent
14 here was to put forth a definition that Fish and
15 Wildlife protection could use to help enforce that pot
16 limit.

17
18 The second part was that because there
19 are top loading pots that are used in both king and
20 tanner crab fisheries that we asked the -- and these
21 regulations I'm talking about were adopted by the
22 Alaska Board of Fisheries as well. There was an
23 additional marking on the buoy that for a top loading
24 pot it would actually qualify as either a king crab pot
25 or a tanner crab pot because it's just one opening on
26 the top of the pot. So we had the Alaska Board of
27 Fisheries adopt the additional requirement that you had
28 to mark the buoy.

29
30 So if you had a top loading pot that
31 you were considering to be your one king crab pot, you
32 would have to mark your buoy as king crab or, if that
33 pot was part of your compliment for a tanner crab pot,
34 you would mark the buoy as tanner crab. So, when we
35 met with the local committee, I thought we had
36 concurrence that they agreed that we should have a
37 definition of crab pots and have the buoy markings.

38
39 The second part was that they asked
40 that a king crab -- you could allow king crab to be
41 retained from a tanner crab pot as long as your annual
42 king crab household limit had not been reached. That
43 language is contained here at the very end. King crab
44 may be retained from a tanner crab pot provided the
45 king crab household limit has not been met. So that
46 was hopefully an additional conservation measure that
47 if you were out tanner crab fishing and you happened to
48 get a king crab in one of your tanner grab pots, that
49 you could keep that king crab and that would count
50 towards your annual household limit.

1 The third thing that we talked about
2 was that you can use a ring net for subsistence fishing
3 for tanner crab, but currently ring nets are not
4 allowed for king crab fishing. This draft regulation
5 has the allowance for utilizing a ring net for king
6 crab subsistence fishing.

7
8 Finally, probably the last thing, which
9 is probably the most contentious and probably resulted
10 in this not being passed on the first go around with
11 the Federal Subsistence Board was the regulation or the
12 proposed regulation of one king crab pot per vessel.
13 In talking with the group, it seemed like this was a
14 very important point that vessels go out and maybe take
15 three or four different household members with them and
16 they each would be able to fish their own king crab pot
17 from that one vessel.

18
19 So the proposed regulation has a
20 deleted the maximum of only one pot per vessel. That's
21 been struck in this proposed draft regulation. Anyway,
22 maybe I'll just stop right there and see if there's
23 questions on that so far.

24
25 ACTING CHAIR TUTIAKOFF: Mitch, are you
26 on there?

27
28 (No comments)

29
30 ACTING CHAIR TUTIAKOFF: He's not on
31 right now. Any more comments. Tom Schwantes.

32
33 MR. SCHWANTES: Mr. Chairman. I'd
34 actually like to hear the report on the ghost fishing
35 before we really deal with this. I think that's
36 important. That's what they're telling us. This is a
37 conservation issue. Quite frankly, as far as I'm
38 concerned, regulations we have in place -- I don't see
39 where -- I guess let me ask a question. How is this
40 regulation going to change anything as far as ghost
41 fishing is concerned?

42
43 MR. DONALDSON: Mr. Chair. The link to
44 the ghost fishing is that right now there are pot
45 limits on the books. You can have one pot for king
46 crab and five for tanner crab. However, the
47 enforcement people cannot enforce those pot limit
48 regulations because there are no definition of pots on
49 the grounds. So having the pots defined is key to
50 reducing the number of pots that are on the grounds

1 and, thus, we believe the number of pots that are lost.

2

3

4 MR. SCHWANTES: I'm sorry, I don't buy
5 that. I mean you're telling me that -- you're
6 basically telling me that if I put 10 pots out there
7 you can't enforce it if one is a king crab and one is a
8 tanner crab. What I'm reading from this is that your
9 ghost pots that are causing the problem are pots that
10 don't have biodegradable mechanisms in it. Am I right?

11

12 MR. DONALDSON: Yes.

13

14 MR. SCHWANTES: Okay. So I'm right.
15 Okay. So how is this regulation going to make any
16 difference if you don't enforce the biodegradable
17 mechanism requirement?

18

19 MS. YUHAS: Through the Chair. It s
20 not an either/or. With this regulation providing a
21 definition, enforcement personnel are able to enforce
22 what is on the books because there's a definition. We
23 hear oftentimes -- everyone has seen in the newspaper
24 the issue with the Yukon kings and the trading versus
25 the sale and defining significant commercial enterprise
26 and we hear from enforcement all the time we can't
27 enforce that because there's no definition on the books
28 that says what is significant. Was \$100 significant?
29 Was \$1,000 significant? We don't know because it
30 doesn't say.

31

32 So this is a different instance of not
33 having a definition. So both are necessary. Enforcing
34 what you are right about, the biodegradable links on
35 those hatches, is part of the problem. Defining the
36 number of pots and what a pot is is useful to
37 enforcement by their own testimony.

38

39 MR. HOLMES: Mr. Chair. There s two
40 issues here. One is the ghost fishing and the other is
41 enforcement. From public safety s point of view, from
42 what I understand, they need to have some definitions
43 to accomplish both. I won't go back through right now,
44 but I would suggest, Mr. Chair, that we table the
45 regulation until after we have the crab presentation.
46 I think Wayne s got everything that was discussed.

47

48 I would suggest, Mr. Chair, that you
49 assign a subcommittee, maybe the same folks that worked
50 on this before on the regulation and Mr. Chervenak, I

1 can give Mitch a call, maybe Tom, just so that we can
2 review this with Wayne and suggest any other wording
3 changes without having to take the Council's time and
4 then bring that back after lunch or something like
5 that. Would that be reasonable?

6

7 ACTING CHAIR TUTIAKOFF: Yeah, I
8 understand they re both separate issues and we need to
9 define what that is. I'm getting confused now. I
10 thought we weren't going to talk to that issue, but
11 apparently it's an issue, so we need to -- Sam.

12

13 MR. ROHRER: Thank you, Mr. Chair. I
14 just want to make sure I have this. I think I know how
15 this relates to the ghost fishery deal, but I just want
16 to clarify this with you. The issue is you re
17 currently allowed five tanner pots and one king crab
18 pot, but because nothing is -- there s no description
19 for the difference between the pots -- there's no
20 definition for the difference of the pots, in effect
21 what can happen is you can fish six king crab pots and
22 that's where the ghost fishing issue is. It's not
23 defined, so, in effect, someone can actually fish six
24 king crab pots. Not legally, but since there's no
25 definition, that's what can happen or is happening.

26

27 MS. YUHAS: (Nods affirmatively)

28

29 MR. ROHRER: If you combine that with
30 someone not having an escape mechanism, you end up
31 having six king crab pots ghost fishing if a person
32 wasn't following the regs and not putting escape
33 mechanisms. If they were limited to the size
34 restrictions, then you would only have one king crab
35 pot if they broke the law and didn't have escape
36 mechanisms and lost their pots. But, in effect, what's
37 happening now is someone loses their pots and they end
38 up with six king crab pots ghost fishing. That's in my
39 -- am I right on that? I mean that's the point on
40 this. Am I correct?

41

42 MR. DONALDSON: Yes, Mr. Chairman.

43

44 ACTING CHAIR TUTIAKOFF: Tom.

45

46 MR. JENNINGS: Thank you, Mr. Chair. I
47 just want to check to see if Mitch is online because he
48 should be participating in this if possible.

49

50 Mitch Simeonoff, can you hear us?

1 CHAIRMAN SIMEONOFF: I am here. I can
2 hear you.

3
4 MR. JENNINGS: Thank you, Mitch.

5
6 MR. KOSO: Mr. Chair.

7
8 ACTING CHAIR TUTIAKOFF: Rick Koso.

9
10 MR. KOSO: I guess I got a little bit
11 of confusion here. You've got five tanner pots that
12 you're able to retain your king crab out of those five
13 tanner pots and then he's got another deal that says
14 you can only use one king crab pot for fishing king
15 crab. If I'm a subsistence fisherman, I'm allowed so
16 much tanner crab and king crab, I'm certainly going to
17 keep them both. So what's the difference between
18 keeping your king crab in a tanner crab pot and only
19 having a limit on a king crab pot? It doesn't make
20 sense. Thanks.

21
22 MR. DONALDSON: Mr. Chairman.

23
24 CHAIRMAN SIMEONOFF: Mr. Chairman.
25 This is Mitch Simeonoff.

26
27 ACTING CHAIR TUTIAKOFF: Go ahead,
28 Mitch.

29
30 CHAIRMAN SIMEONOFF: In the proposed
31 regulation, there's some phrasing in there that says
32 that the crab pots would have to be altered so the crab
33 openings would only allow tanner crab to enter the crab
34 pot and then king crab would be altered so that the
35 entryway would be big enough for the king crab to
36 enter, so your tanner crab pots would not catch king
37 crab if that was adopted into the regulation.

38
39 Another question I have from the
40 village of Akhiok was the maximum of only one pot per
41 vessel? Given the size of the area that we subsist in,
42 it didn't make any kind of sense to the tribal council
43 here in the village that a skiff could have as many
44 people as they want, but only one crab pot for king
45 crab.

46
47 That also raised another question. In
48 the draft consultation policy it stated that proposals
49 would be sent to tribal governments for comments. When
50 I presented this proposal to the tribal council, they

1 indicated to me that they never heard of it. They
2 never seen a copy of it, therefore they did not make
3 any comments on the proposal that is before us now.
4 They were pretty concerned that people who subsistence
5 fish for crab would only be able to carry one king crab
6 pot. The main concern was that the amount of area that
7 we fish in, you know, taking one crab pot out and then
8 coming all the way back to get another crab pot is
9 costly for a subsistence user out here in Akhiok.

10

11 I'm also wondering if other tribal
12 governments in Kodiak/Aleutians have received any
13 copies of the proposal. I know the draft consultation
14 policy states that it would send draft proposals to
15 tribal governments for comment. I would also restate
16 that the maximum of only one pot per vessel is a big
17 concern here in south Kodiak.

18

19 ACTING CHAIR TUTIAKOFF: Thanks, Mitch.
20 Maybe the Department can answer.

21

22 CHAIRMAN SIMEONOFF: If there are any
23 comments from the RAC, I d like to introduce an
24 amendment to that proposal.

25

26 ACTING CHAIR TUTIAKOFF: Maybe we can
27 get an answer to your question on the tribal
28 involvement and also maybe get -- you can talk to the
29 one pot limit after we get a comment from the
30 Department first.

31

32 MS. YUHAS: Mr. Chairman. The
33 Department can only speak to the one pot limit and I
34 apologize through the Chair, Mr. Simeonoff, that you
35 can t see the screen in front of everyone, but we have
36 stricken the language for the only one pot. We heard
37 your concerns at the last RAC meeting and at the
38 Federal Subsistence Board and through the advisory
39 committee process and through our other conversations.

40

41

42 So the amendment the Department has put
43 before everyone has that language stricken, so it would
44 not say only one pot per vessel. It says one pot per
45 permit and I don't believe you were online when we
46 testified to that, but that would be so that, just as
47 you described, a family going out needing to fish
48 multiple areas could have multiple pots to put in those
49 areas, so it would be one per permit.

50

1 The Department can't speak to the OSM
2 tribal consultation process, so we'll leave that to the
3 OSM representative.

4
5 ACTING CHAIR TUTIAKOFF: And we'll hear
6 from them later. Tom.

7
8 MR. SCHWANTES: Mr. Chairman. Again, I
9 don't see where this proposal is going to eliminate in
10 any way the ghost fishing. As a subsistence fisherman,
11 if I'm fishing a pyramid pot, I can go set five pots
12 for tanner crab and set another pot for king crab. I'm
13 still going to be fishing six crab pots. If I don't
14 put biodegradable on any of them, you've got the same
15 problem. The problem here is enforcement. We don't
16 need to add more regulations. We have plenty of
17 regulations. The problem is enforcement.

18
19 I guess I would ask the Department.
20 You tell us you're so concerned about this resource.
21 What have you done -- what steps have you taken to
22 alleviate this problem? You tell me you've got 140-
23 some pots out there that have been fishing. What have
24 you done to alleviate that?

25
26 MS. YUHAS: Through the Chair. First
27 of all we've brought this proposal and we're not
28 deluded enough to think that the proposal in and of
29 itself will eliminate ghost fishing, but we hope that
30 it will curtail ghost fishing. With the allowance for
31 a king to get into the tanner pot, the tanner pot is
32 designed for tanner crab and we don't want to penalize
33 someone who accidentally catches legal king in it. The
34 king pot is designed for king crab.

35
36 The goal of that is so that, as I
37 testified before, that the definition be provided so
38 that when someone approaches a boat and reads the
39 regulation that the answer isn't so what's a king pot.
40 We're providing a definition for king pot. We're also
41 going to be working with the non-profit that is trying
42 to retrieve the ghost pots and that's an ongoing
43 effort. Mr. Donaldson may be able to speak to other
44 aspects of what we've done, but we only consider this a
45 small piece of a greater conservation effort.

46
47 ACTING CHAIR TUTIAKOFF: Thank you.
48 Pete, do you have a comment.

49
50 MR. SQUARTSOFF: Yeah, I just have a

1 question, I guess, as to where this 10 feet long by 10
2 feet wide by 42 inches high. I have never heard of
3 anybody in a rural area ever using a 10 by 10 pot. Is
4 enforcement able to lift this kind of a pot?

5

6 (Laughter)

7

8 MR. DONALDSON: Mr. Chair. Mr.
9 Squartsoff. So when we went to the Board of Fisheries
10 in 2010 that s when we first recognized that there was
11 no definition of subsistence pots and the Board of
12 Fisheries at that time said, well, we want to be
13 inclusive of any kind of pot that might be out there,
14 so they looked at the commercial fishery regulations
15 and this definition is the commercial fishery
16 regulation for the maximum pot size that you can have.
17 So they just took the existing commercial fishery
18 regulation and brought it over to the subsistence
19 regulations.

20

21 MR. SCHWANTES: Mr. Chairman.

22

23 ACTING CHAIR TUTIAKOFF: Yes, go ahead,
24 Tom.

25

26 MR. SCHWANTES: Again, I guess I don t
27 see the need to have a specific definition for a king
28 crab pot or a tanner crab pot. A lot of the fishermen
29 are use -- they re not using these big commercial pots
30 for subsistence fishing. They're using these small
31 Japanese pots or other smaller pot. My concern is that
32 by putting a specific definition out there we're going
33 to be restricting the fishermen as to what he can keep
34 out of a certain pot. If I set a pyramid pot, I'm
35 fishing for king and tanner crab with the same pot. So
36 I could have six identical pots, but with this
37 regulation I have to label one of them a king crab pot
38 and the five tanner crab pots. It doesn t make sense
39 to me and I think it's just additional restrictions.

40

41 We have discussed this and discussed
42 this over the last three years. The Department has
43 come -- we had a proposal before us several years back
44 to totally eliminate subsistence fishing in Womens Bay.
45 Now we're dealing with this. This is the second year
46 in a row we've dealt with it.

47

48 I look at the subsistence regulations
49 and to me it s very clear. You've got to have a pot,
50 it's got to have your name on it, it's got to have

1 biodegradable escape mechanism in it. If those pots
2 are causing a problem, then we've got an enforcement
3 issue, not a subsistence issue. I think if there's a
4 problem out there with this ghost fishing, then the
5 Department needs to deal with it. I don't think we
6 need to be dumping this on the back of the subsistence
7 user and I think that's what the Department is trying
8 to do.

9

10 Thank you.

11

12 ACTING CHAIR TUTIAKOFF: Any more
13 comments from the Council.

14

15 Pat.

16

17 MR. HOLMES: Well, you know, we re
18 addressing this because one of the few Federal areas
19 left is Womens Bay and there is the ghost pot problem
20 and I tend to agree a bit with Tom and then agree a bit
21 with the agencies. We've got Womens Bay. There's some
22 secret places I know up around Afognak Island that I'm
23 not going to tell anybody about.

24

25 And then there's also the overall issue
26 of enforcement not only in the little bitty Womens Bay,
27 but down in Alitak and that's been something that's
28 bothered the folks in Akhiok and then those folks down
29 there that are Alaska resident -- or not Alaska
30 residents that do go down there specifically to fish
31 and the big problem down in Alitak is absolutely lack
32 of enforcement.

33

34 We've had -- I've sat at the Fish and
35 Game Advisory Committee when they've worked on this
36 with public safety present. I've talked to some of
37 those folks. The problem down in Alitak is we have
38 non-residents, non-resident setnetters that use the
39 cannery and they go down and run a whole bunch of pots,
40 take a whole lot of crab, box them up, freeze them down
41 in the cannery and ship them outside. There's one
42 large vessel that's a tender I've been told of. I
43 don't know his name. But he is a non-resident and
44 traditionally goes down and harvests king crab, freezes
45 them and processes them and sells them in Hawaii.

45

46 You know, when we're getting down to so
47 few crab and so few areas where there are crab, there
48 really needs to be a concerted effort for enforcement.
49 I've been told by folks you can go online to lodges on
50 the west side of the island, but particularly in Alitak

1 where they show pictures of people taking the king
2 crab, butchering them and saying come on down, folks,
3 you too can have king crab. Well, a lodge or a
4 commercial operation or a non-resident fisherman should
5 not be able to take king crab or tanner crab or
6 dungeness or any subsistence salmon because that's
7 precious.

8
9 You know, in our Council our focus is
10 primarily on Federal waters, but we also in the past
11 have written letters of resolution to the State Board
12 and work tightly with the advisory committee. I think
13 that regardless of where we come on these definitions I
14 think we should have a very strong letter of resolution
15 to the Federal Board asking them to communicate to the
16 State board and also send it ourselves basically the
17 lack of enforcement on subsistence crab and other
18 subsistence users.

19
20 Thank you, Mr. Chairman. I'm sorry to
21 get on a tangent.

22
23 ACTING CHAIR TUTIAKOFF: Okay. Well,
24 keep it down next time. Federal agents. Thank you
25 very much. We'll move on.

26
27 No more questions.

28
29 Oh, you've got some more.

30
31 MS. YUHAS: Mr. Chairman. I just
32 really appreciate our Alutiiq sun there. I think he
33 should show up at more meetings to keep everybody calm
34 at the microphone.

35
36 ACTING CHAIR TUTIAKOFF: Federal
37 agencies. Comments on Proposal FP13-14.

38
39 (No comments)

40
41 ACTING CHAIR TUTIAKOFF: Okay. We'll
42 move on. We have one Native one, an elder, Iver
43 Malutin on this issue. Iver, on the issue regarding
44 the proposal.

45
46 MR. MALUTIN: Thank you. I'm really
47 glad to hear the comments that I heard this morning.
48 One of the things in everything that we do and I'm only
49 here for one reason. I'm hear to protect the land and
50 all the resources in the water. That s why I m here.

1 It wasn't long ago -- I fished the
2 Bering Sea crab, I fished Kodiak crab for years, fished
3 all my life. All we re doing is polluting the waters
4 when we leave the pots in the bottom. The Bering Sea,
5 they were losing 10,000 pots a year when I was on the
6 Port and Harbor Board. They would lose 10,000 pots a
7 year. I m not sure what they re losing today, but the
8 numbers should come out and we should do some research
9 and see where they're at because I've been watching the
10 news where the ice comes down and takes all the pots.
11 They lose their pots.

12
13 That's one of the things we're fighting
14 with our tribe today is to try to get Federal grants to
15 clean up all the pots if we can. When I fished, we
16 used 8 x 8 pots and they weighed 1,000 pounds. Even
17 though I'm going to go out of my yard a little bit, in
18 reality it's discriminating against the small boats to
19 let the big boats use that because they can't handle
20 those pots. I could get 15 pots in my 38-footer. On
21 the Heron we could get a lot. It was 130 feet.

22
23 So, for that reason, I want to stress
24 strongly that regardless of what your decision is
25 common sense has to prevail. It has to. It s not
26 about anything else. And all I m here talking for is
27 food for the table and I'm not talking about money for
28 my pocketbook. I quit that years ago. Please, please,
29 please, think about common sense when anything else
30 comes up. I really appreciate what you're doing.

31
32 Thank you.

33
34 ACTING CHAIR TUTIAKOFF: Thank you. Do
35 we have any tribal or village or other entity here to
36 speak to this proposal.

37
38 (No comments)

39
40 ACTING CHAIR TUTIAKOFF: Hearing none.
41 Do we have InterAgency Staff Committee comments. State
42 your name and what agency.

43
44 MR. BERG: Thank you, Mr. Chair. Jerry
45 Berg with Fish and Wildlife Service. I sit on the
46 InterAgency Staff Committee with my colleague Glenn
47 Chen and Jack Lorrigan also sits on the Staff
48 Committee. We did discuss this proposal after your
49 Council took it up and before the Board meeting last
50 fall and winter, I guess. So there's been a number of

1 changes the Department has proposed here this morning
2 and just looking through some of it I do think
3 it would be helpful to have a group, maybe as Pat
4 suggested, to sit down and look through some of it.

5
6 Some things that jump out at me, the
7 outside dimensions are the same for both the tanner and
8 the king crab pot. As somebody mentioned, nobody uses
9 them that big, so it kind of does raise a question as
10 to why do we need to define the outside dimensions of
11 the pot. What does make a difference in the regulation
12 that's proposed here is the size of the opening. It's
13 either less than five inches or greater than five
14 inches depending on what kind of pot it is. Then there
15 is the pot limit. One king crab pot per subsistence
16 permit and then five tanner pots per person. So I
17 don't know if a permit goes to a household or a person.
18 It kind of depends on how those permits are issued.
19 And then 10 pots per vessel for tanner crab pots.

20
21 So, anyway, I think some of those
22 details it would be helpful to have a group maybe look
23 through some of those details and decide -- you know,
24 figure out what's most appropriate for your region.
25 This is a little bit different than what the Board
26 looked at and I'm sure they're going to be looking to
27 your recommendation to see what you guys think is
28 appropriate for your region.

29
30 Thank you, Mr. Chair.

31
32 ACTING CHAIR TUTIAKOFF: Thank you.
33 We'll consider that further down in our review process
34 on the committee issue. I'll ask for advisory group
35 comments. We heard that earlier, I believe.

36
37 (No comments)

38
39 ACTING CHAIR TUTIAKOFF: Any
40 neighboring Advisory Council comments received, Tom?

41
42 MR. JENNINGS: (Shakes head negatively)

43
44 ACTING CHAIR TUTIAKOFF: None. Any
45 local Fish and Game Advisory Committee comments.

46
47 MR. JENNINGS: Mr. Chair. We haven't
48 received any comments at our office in regards to this
49 proposal.

50

1 Thank you.
2
3 ACTING CHAIR TUTIAKOFF: There's none
4 in writing. Okay. National Park Service.
5
6 (No comments)
7
8 ACTING CHAIR TUTIAKOFF: Okay. Summary
9 of the written comments. We haven't received any, so
10 there's no summary there. Any more public comment.
11
12 (No comments)
13
14 ACTING CHAIR TUTIAKOFF: Okay. Now
15 I'll ask the Regional Advisory Council recommendations.
16 One of them was to move this
17 on to a committee. The last committee, if I remember
18 right, was Pat and Mitch and Tom.
19
20 MR. HOLMES: It was myself, Mitch, Paul
21 Chervenak, a couple other State Advisory Committee
22 folks. I think it's getting down -- with Wayne's
23 changes there, getting pretty darn close. Maybe you
24 want to appoint another Council person. I don't know.
25 But we can get it whipped out here pretty quick.
26
27 ACTING CHAIR TUTIAKOFF: I'll ask for
28 you to get together and maybe make a recommendation to
29 this Council beginning
30 tomorrow morning session. Where we are on the agenda,
31 we take that up so we can put it on as an action item
32 at some point in this agenda. We have action items
33 back on 13(E). We can move it to that point whether
34 we're going to act on it or not. So we'll continue to
35 have that committee. That would be yourself, Pat, and
36 Mitch. Are you still there? Are you willing to sit
37 down or do you want someone else to work on that?
38
39 MR. JENNINGS: Mitch, did you hear that
40 question?
41
42 (No comments)
43
44 ACTING CHAIR TUTIAKOFF: He must be out
45 culturing or something.
46
47 (Laughter)
48
49 ACTING CHAIR TUTIAKOFF: Okay. Do you
50 want to get involved with this, Sam? No. How about

1 you? You've got some concerns I know regarding the
2 ghost issue. That really is not the issue, but maybe
3 you can get in there and fight for it.

4
5 MR. ROHRER: Yeah, I'll get with Pat as
6 well, I guess.

7
8 ACTING CHAIR TUTIAKOFF: All right.
9 I'll appoint you three there and then whoever from the
10 agencies out here that you feel could help us with this
11 issue and move on. It's been a couple of years and I
12 think we need to get it out on the record, move it on
13 this session.

14
15 Thank you. What's the next, Tom.

16
17 MR. JENNINGS: Thank you, Mr. Chair.
18 As you and I discussed earlier under new business the
19 ghost fishing presentation is listed and the Federal
20 Subsistence Board did want this Council to be able to
21 hear that information and that before they deliberate,
22 so it's appropriate for Mr. Cumiskey to be able to go
23 with the flow here and present that if you will.

24
25 Thank you.

26
27 ACTING CHAIR TUTIAKOFF: You're
28 correct. That's appropriate. We'll move it on and
29 wait until we get to item 12(A) and maybe we'll get
30 more information on this issue and resolve Tom
31 Schwantes's issue on ghost fishing. The next item we
32 have here is under old business is status of the
33 Emperor Goose proposal to the Alaska Migratory Bird Co-
34 Management Council.

35
36 MR. JENNINGS: Mr. Chair.

37
38 ACTING CHAIR TUTIAKOFF: Yes.

39
40 MR. JENNINGS: Maybe I wasn't clear. I
41 was suggesting.....

42
43 ACTING CHAIR TUTIAKOFF: Oh, do it now?

44
45 MR. JENNINGS: Yeah. That we would
46 complete this information exchange and allow NOAA to
47 present the ghost fishing thing and then.....

48
49 ACTING CHAIR TUTIAKOFF: If there's no
50 objection, we'll go out of order on our agenda and

1 without objection we'll move to item 12(A) and we'll
2 take on the ghost fishing of derelict pots in Womens
3 Bay.

4

5 Pete Cummiskey.

6

7 Thank you.

8

9 (Pause)

10

11 MR. CUMMISKEY: I'm sorry for the delay
12 there. My name is Pete Cummiskey. I work for NOAA
13 Fisheries here in Kodiak. This presentation was put
14 together about two years ago for the Kodiak Marine
15 Science Symposium, which was given here in Kodiak.
16 This presentation was put together about two years ago
17 for the Kodiak Marine Science Symposium, which was
18 given here in Kodiak. It's kind of a culmination of --
19 or a side project based on a lot of dive research that
20 we've done out in Womens Bay. We've done a lot of
21 habitat and red king crab life history work out there
22 through diving. As we get into the slide show, we'll
23 see how we started to notice ghost fishing taking place
24 out there and then documenting it.

25

26 For an introduction, we're going to
27 talk about what is ghost fishing, a little bit about
28 Womens Bay and most people are somewhat familiar with
29 it, but we'll talk a little bit about a few features in
30 there. A little bit about king crab life history.
31 There's a few things about king crab themselves that
32 make them I think a little bit more vulnerable to ghost
33 fishing, especially in crab pots. We'll talk about how
34 we observed it to come up with this talk and the effect
35 of what ghost fishing is on the larger population out
36 there and a few recommendations on how we might reduce
37 those effects out there.

38

39 So ghost fishing. There's a lot of
40 definitions. This is the one that we seemed to like
41 the best. The ability of fishing gear to continue
42 fishing after all control of that gear is lost by the
43 fisherman. This is a ghost fishing dungeness pot out
44 in Womens Bay. This is just one example of what we've
45 seen out there.

46

47 Most people are familiar with Kodiak.
48 Womens Bay is in the right panel. City of Kodiak is
49 under the red dot there. We're sitting right in there.
50 Airport is here. Here is Womens Bay, a Coast Guard

1 base. So just a little bit about Womens Bay. It's had
2 a long history of commercial and subsistence crab
3 fishing over the years. It's been considered a nursery
4 area for king and tanner crabs. Guy Powell did a lot
5 of his early work on king crab out in Womens Bay.
6 We've done work out there since the '80s. A lot of
7 dive research. Since that time there's always been a
8 persistent king crab population within the bay even
9 though the numbers have kind of been depleted in other
10 areas.

11
12 A little bit about the bay for people
13 that might not be familiar. It's about a mile and a
14 half wide here and about three miles long. This area
15 right in here is a heavily used crab fishing area.
16 It's a deep water. Basically there's kind of two
17 basins within the bay. There's a deep section here,
18 deep section here and a shallow area across here.
19 There's several piers associated with the Coast Guard
20 base, Marginal Pier and these other piers which is an
21 area where we've consistently found small king crab
22 over time, so you'll see a little bit of that imagery
23 as we go.

24
25 Just touching on life history right
26 now. King crab right now out in the water column
27 there's millions of little king crab larvae floating
28 around. They'll be settling this summer. This is a
29 king crab about the size of a pencil eraser. That's
30 the size the crab will be this fall. They find little
31 hidey-holes down in the gravel, in the shell hash, and
32 spend their first year or so of life hidden in the
33 sediments. This is about a one-year-old king crab as
34 they start to molt and grow. They start to outgrow
35 that habitat and start to move into more other
36 structural habitat, which they continue as they grow.
37 Here's king crab on some pilings out in Womens Bay.
38 These are about two-year-old king crab.

39
40 This talk was put together for a pretty
41 general audience, so we're not going to see a lot of
42 statistics or things like that, but it's kind of a good
43 overview of what we've seen out there. These are some
44 of the piers, some of the pilings under the piers.
45 Crabs tend to aggregate as they get bigger. King crab
46 kind of come together and form larger and larger
47 groups.

48
49 Another thing, here's a king crab pot.
50 Many people have seen photos of pods of king crab.

1 We've seen them up to 10,000. Guy Powell saw up in the
2 hundreds of thousands of crabs piled up. At about
3 three years of age they start to pod. This has been
4 one of the focuses that we've looked at over the years
5 is observing these pods and then trying to follow them
6 over time and see where they go, what they eat and
7 their habits.

8

9 One of the ways that we've studied crab
10 for many years is we put these acoustic tags on a king
11 crab. You can see right here we use marine epoxy and
12 we glue it right onto the shell of the crab. You can't
13 see the crab very well. We glue several tags on
14 different animals and then let them go into that pod of
15 crab and then we're able to follow that pod over time.
16 So we bring the crab to the surface, we glue the tag on
17 and then we bring the crab back to where we got it. So
18 here's underneath Marginal Pier and some of those large
19 aggregations of crab after we've released the tag.

20

21 Now we're going to go on a dive here.
22 So the acoustic tag can lead us to the crab under
23 water, so there's a dive receiver that picks up the
24 signal from the tag and it leads us into a pod of king
25 crab. This is about 800 king crab. They're about four
26 years old. They're in kind of a resting stage,
27 although they're a little bit agitated by us being
28 there.

29

30 When we go down and we come up to a pod
31 of crab or any crab, we make certain observations on
32 what we see. So one of the things we would do is we
33 would estimate the size of this group. We use our
34 depth gauge, get the bottom depth, the top depth and a
35 rough idea of the size and that helps us to make an
36 estimate of what the crab are -- how many crab there
37 are and we make observations on what the crab are
38 doing.

39

40 One of the things we look at is if
41 there's any crab associations. So we had 614 dives in
42 this dataset. You can see 73 percent of the time they
43 weren't really associated with anything. Ten percent
44 of the time they were associated with dock pilings.
45 This is primarily in the winter and primarily at a
46 young age. Right now we're looking at crab of all
47 sizes, from about three-year-olds on up to adults. The
48 take home message here is 10 percent of the time we've
49 seen crab associated with crab pots in all these 614
50 dives.

1 As we talked about before, king crab
2 likes structure, so here's a dungeness pot that we had
3 located on a dive earlier. The crab continue to go
4 back to structural things on the bottom. They just like
5 to climb on things. So every time we find a crab pot
6 we disable it. So if it's a webbed pot, we cut the
7 webbing out. Only ghost fishing pots. We don't cut --
8 if there's a line going to the surface with a buoy on
9 it, we leave it alone. You can pretty much generally
10 tell if it's a ghost fishing pot. So we disable it.

11
12 In a dungeness pot, they have a wire
13 mesh in there, so you can't really cut it, but
14 generally what we do is we take the door, we open it
15 and then we mangle that door. Oftentimes that door
16 won't pop up by itself. It will stay flush against the
17 rest of the frame. So by opening the door and then
18 mangling it it won't close again.

19
20 Another thing that we observe and make
21 notes on when we do a dive is what the crab are doing.
22 Those crab that we saw in that earlier video we would
23 consider resting. Sometimes if there's a food item we
24 know that they're eating. The take home message here
25 is 4 percent of those were trapped within a crab pot,
26 an intact pot.

27
28 So of the pots that we saw and the
29 crabs that we've seen in pots, 12 of our tags have
30 died. The crab in the pot have died. Usually these
31 crab aren't alone. You oftentimes find dozens to
32 hundreds of crab in a crab pot. When you get crab that
33 are about this big size range, you can get a couple
34 hundred in a standard pyramid pot. Twenty of the
35 tagged crab that we were led to the pot and the tag was
36 in there, we've released them. We cut the pot open and
37 let all the crab out of there. We also did loose one
38 crab pot that we found in a derelict gillnet in the
39 bottom of the bay.

40
41 So we'll look at a short video clip of
42 a homemade subsistence pot. This is in the deep part
43 of Womens Bay. I took a diver on a check-out dive. We
44 had to go down to 100 feet and we had a tag that was
45 down there. It had been down there for a year. This
46 is a tricky place to dive. The currents can be pretty
47 strong. About half our dives are aborted in this
48 depth. We observed the crab in this pot. The day that
49 we went we found three crabs in the pot. We left them
50 in there to go back with a video camera because we

1 wanted to document this.

2

3 So we went back about three days later
4 and now there's four king crab in there. So this is a
5 homemade subsistence pot made out of rebar and it's
6 been kind of mangled and crushed, but there's still
7 enough of an opening that the crab could crawl in
8 there. You can see they're kind of tangled up in the
9 mesh. That's another thing that can kind of keep them
10 from escaping if they get too tangled. Right down here
11 was the opening where they could crawl in underneath
12 there.

13

14 So the tag that we went to had died in
15 this crab pot a year before and now we've got four more
16 crab in there. So you can see this is a five gallon
17 bucket for a homemade tunnel on that pot. So we, like
18 our normal practice is, we cut that pot up and released
19 the crab so hopefully this pot will not capture anymore
20 crab.

21

22 We also have documented the types of
23 crab pots that we've seen down there in our notes.
24 This 29 percent includes standard square pots, pyramid
25 pots, webbed -- basically all webbed pots. Some of
26 them were probably used commercially, but several of
27 them were probably subsistence pots. 49 percent of the
28 pots that we found were dungeness. Some of them were
29 homemade. A couple were bought at the local sporting
30 good stores.

31

32 The take home message here is 62
33 percent of all the pots that we've observed down there
34 were intact. We would swim around the pot and examine
35 it before we cut it open to see what the status of the
36 pot was and 62 percent of the time the pot was able to
37 catch crab. It may not have had crab in it, but it was
38 intact and could be a ghost fishing pot.

39

40 The escape mechanisms that was talked
41 about started being adopted in 1977. There's been a
42 lot of amendments over time. It requires some sort of
43 release mechanism, a biodegradable panel in a webbed
44 pot or in a subsistence pot it's got a biodegradable
45 loop in the closure. It's required. That requirement
46 is not always observed.

47

48 So here's a little bit of footage of a
49 dungeness pot. The same kind of scenario. We went to
50 this pot and found crab in it, left it, came back the

1 next day with a camera to document it. This particular
2 pot had 19 mature adult crab in it, 15 of them were
3 females, 12 of those were egg-bearing females. You can
4 see this pot has been down there for a little while.
5 We just went by the tunnel. There's a small escape
6 ring for small pots, but you can see female king crab
7 in here, you can see a lot of barnacles growing on the
8 pot. It's been down there for a while.

9
10 We'll loop up to the top here. Right
11 here is usually where the biodegradable -- a little
12 loop of cotton will be put in there and this rubber
13 band mechanism is the common closure mechanism for a
14 dungeness pot. You can see growth along here. Some
15 people did some work on dungeness pots related to ghost
16 fishing down in Southeast Alaska. They found a high
17 degree of pots that even if the biodegradable loop
18 rotted away this rubber band would get hung up and not
19 release and the pot wouldn't come up.

20
21 There's no positive mechanism to open
22 this door from the pot, so it can still lay flat. So
23 either the rubber band can get hung up. This does not
24 necessarily spring open, so it would have to be pushed
25 open by a crab, which may or may not do it. Any growth
26 can also occur. Barnacles or anemones or whatever may
27 prevent that pot from opening.

28
29 So this is the predicted effect of
30 ghost fishing based on our work out there. We had
31 about 200 king crab that we had put sonic tags on. We
32 knew when we released them. One of the things that our
33 dive work has been able to do is when we visit a crab
34 on the bottom and it's dead, we can oftentimes
35 determine whether it died or it molted because we're
36 seeing it firsthand. So out of all the crab mortality
37 that we documented, this would be what we came up with
38 running the numbers. The top one is the ghost fishing
39 depths.

40
41 So we basically came up with a rate.
42 Based on our numbers of crab we tagged, we came up with
43 a rate. Applying that, the take home message is the
44 estimate of 16 to 30 percent mortality per year on king
45 crab within Womens Bay. The wide range here reflects
46 somewhat the fact that we released a lot of crab out of
47 crab pots, so that's a little bit reflected in that
48 wide range there.

49
50 Mature crab are more vulnerable to

1 ghost fishing than the small crab, but just bear in
2 mind if it's disproportionately affecting the
3 reproductively active crab out there, that can be
4 detrimental to any potential rebuilding of that crab
5 stock.

6
7 A little bit about why pots are lost.
8 Vessel traffic contributes. Tugs and barges come in
9 here to a cargo terminal here. This is the area where
10 there's a lot of crab fishing over time in this area,
11 is right in the navigation channel, so a lot of pots
12 get taken out by vessels. Pots are lost or abandoned.
13 There's malicious activity that takes place.

14
15 People that were around here in the
16 '70s and '80s and '90s know that in this area there
17 used to be several hundred crab pots out there. Pot
18 lines would get tangled together, buoys would get
19 wrapped up in each other. Pots would just get lost in
20 that way. A lot of pots are not really properly rigged
21 by people who are not quite sure what they're doing out
22 there and ice effects.

23
24 This is something that we'll go into
25 here in a second. This is something that we've
26 observed a fair amount. These images were from last
27 winter and most people know we had a pretty severe
28 winter last year. It's kind of hard to tell, but this
29 is an ice sheet and there's a crab buoy that's frozen
30 and imbedded in that ice sheet. When the ice goes out
31 of the bay, it doesn't necessarily just melt away. It
32 breaks up into sheets of ice that then move around. So
33 any imbedded crab pot like this that the buoy is
34 imbedded in the ice, the ice starts moving it, drags
35 that pot across the bottom, the line parts and then you
36 have a pot on the bottom that's lost.

37
38 To illustrate that, this right here is
39 from Marine Hill and this section of open water right
40 in there is about half mile by half mile. A tug boat
41 came in and cut a section of that ice out and it
42 floated out on the tide and went out of the bay and it
43 took with it a Coast Guard navigation buoy with a
44 10,000 pound anchor and it dragged that buoy over one
45 mile out here before that finally broke free. That ice
46 flow itself took five nav buoys out of position out in
47 Womens Bay. I watched it happen. It was amazing.

48
49 There was about 30 crab pot buoys that
50 were in the bay before the ice went in. When the ice

1 went out, there was only about three or four left. So
2 just last winter alone probably 25 crab pots were lost
3 in the bottom of Womens Bay by the ice effects out
4 there.

5
6 Another thing that can happen besides a
7 buoy being dragged and the line breaking is thinner
8 sheets of ice move around. Here's a dungeness buoy
9 with ice. You can't see it very well, but this ice is
10 about a half inch thick and it's moving past this buoy
11 and it erodes on that. Here's a buoy that the ice is
12 kind of eaten away. The more it gets eaten away, the
13 less lift and buoyancy this buoy has and eventually it
14 sinks and you have another pot on the bottom. Here's
15 an unattended pot that was basically abandoned out
16 there. The growth on this line eventually will pull
17 the buoy under and you have another pot on the bottom.

18
19 So reducing ghost fishing, one of the
20 main things is compliance with pot requirements that
21 will help quite a lot. The commercial fleet has done a
22 very good job of compliance over the years. I think a
23 lot of the personal use people are not really complying
24 as they should be. Properly rigging pots can reduce
25 it. Setting pots clear of traffic zones and other
26 pots. Tending your gear regularly can help a lot.
27 Vessels passing very clear of it.

28
29 Right down here I think this would be
30 something that would be very beneficial is removing the
31 derelict pots from the area. A local group, Island
32 Trails Network, after seeing some of our work, applied
33 for some grants and they succeeded in getting some
34 money last year for kind of a preliminary pot removal.
35 It was basically kind of a pilot project. They used an
36 ROV out here operated off a small vessel. They rigged
37 up a grapple kind of hook that they could hook onto the
38 pot for an attempt to recover and remove.

39
40 This is an image off a side scan sonar
41 that was on here. It had video image and some side
42 scan. There's about a 6 by 6 foot crab pot image that
43 they saw with the ROV. This is that deep water area in
44 Womens Bay. We recommended that they go look in that
45 area. It's an area where we knew there was a lot of
46 lost pots. We don't dive down there very often
47 because, like I said earlier, it's -- there's a lot of
48 currents. It's a place where we haven't had really
49 good success on our diving on our tags in that area.
50

1 This is an image -- all these little
2 circles with a triangle in it is a hit with our sonar
3 in this area. So, as you can see, it's pretty densely
4 covered with lost crab pots in that area of the bay.
5 They had contacted NOAA, who did a -- as kind of a
6 courtesy did a quick side scan sonar of the bay and
7 they located 22 potential targets. When they went back
8 and re-evaluated that imagery, they came up with a few
9 more. That was their initial target. They had 22 hits
10 and then re-analyzed and came up with a little bit more
11 off the NOAA side scan.

12
13 The main thing they did was they used
14 their ROV. We sent them into the deep hole and they
15 documented 80 to 90 pots in that area. They estimated,
16 based on the area that they covered, that there's at
17 least 250 to 400 pots lost in Womens Bay. I personally
18 think that might be a little bit of an underestimate
19 just based on my years of experience diving out there,
20 but it's a pretty significant number of pots out there.
21 They observed red king crab in two of the pots that
22 they saw out there.

23
24 One thing that they found out was
25 removing them with an ROV was pretty time intensive.
26 There's probably other methods that could be used and
27 they will be exploring trying to come up a little bit
28 more efficient method of removing crab pots from the
29 bay. They're looking for funding and hoping to
30 continue that work.

31
32 That about wraps it up. I'd like to
33 thank these people that helped with these
34 presentations. Any questions.

35
36 CHAIRMAN SIMEONOFF: Mr. Chairman.
37 This is Mitch.

38
39 ACTING CHAIR TUTIAKOFF: Yes, go ahead
40 Mitch.

41
42 CHAIRMAN SIMEONOFF: One question. The
43 ghost fishing pots in Womens Bay, are they all
44 dungeness pots with thin steel mesh or are they a
45 variety of crab pots?

46
47 MR. CUMMISKEY: Yeah, Mitch, it was a
48 variety of crab pots, but we had about 49 percent of
49 the 143, I believe, that we had documented. 49 percent
50 were dungeness pots and the other was a variety of

1 other types of pots.

2

3 CHAIRMAN SIMEONOFF: Okay, thank you.

4

5 ACTING CHAIR TUTIAKOFF: I had a
6 question posed earlier and that was a note I was
7 passing around. What entity or what support groups do
8 you have in this community that has funding to remove
9 these pots. I got a comment from a couple of members
10 that you have Island Trails Network. I see they're one
11 of the groups up here that you acknowledged. I guess
12 for my information, how much money in the last say two
13 years they've expended to remove these pots estimate?
14 People and money.

15

16 MR. CUMMISKEY: This is the only effort
17 that I know of of locally and I don't remember what
18 their budget was, but they contracted with Aqualife
19 Engineering who had the ROV to do the survey work and
20 the pot removal. Again, I'm not quite sure what kind
21 of money was secured to do that work. I know that NOAA
22 has some marine debris money and I think that may be
23 one of their sources. Island Trails Network does a lot
24 of marine debris removal from beaches and stuff, but
25 they sold this as a marine debris on the bottom that
26 would have the benefit of reducing ghost fishing, so
27 they were given some money for a pilot project.

28

29 ACTING CHAIR TUTIAKOFF: Okay. Thank
30 you. Any comments from Council. A very good
31 presentation. Thank you. For me anyway.

32

33 Go ahead, Pete.

34

35 MR. SQUARTSOFF: Yeah, I just noticed
36 at the end there it showed two pots had red king crab.
37 That was out of the 80 or 90 pots. Those were all
38 abandoned king crab pots?

39

40 MR. CUMMISKEY: I m not quite sure. I
41 know one of them was a dungeness pot and the other one
42 I'm not sure. They had to get really up close to be
43 able to look into a pot with the ROV and it was kind of
44 difficult to maneuver up close to a pot to actually see
45 into it very well. They only were able to do that a
46 few times. There's a little bit of complications with
47 operating the ROV in currents. Another thing about a
48 lot of these crab pots is there's a lot of line that
49 may be tangled around and in the water. That was
50 always a concern for us as divers, was the visibility

1 would not be very good and you're approaching a crab
2 pot and you're afraid that you may get hung up in some
3 line that you didn't see and get kind of snagged to the
4 bottom.

5
6 MR. SQUARTSOFF: Oh, so that doesn't
7 mean that only two of the pots had crab. They just
8 couldn't get a good look at a lot of them.

9
10 MR. CUMMISKEY: Yeah, that s correct.

11
12 ACTING CHAIR TUTIAKOFF: Any more
13 comments from the Council members. Sam and Tom.

14
15 MR. ROHRER: Yeah, Mr. Chair. I just
16 sent Andy, the executive director of ITN a message and
17 asked him if he had a few minutes if he could swing
18 down here and talk to us about it. I've talked to him
19 a little bit about it in the last year. He could tell
20 us a little bit about their budget and what their plans
21 are for this summer with that project. It would be
22 interesting. If I hear back from him, I'll let you
23 know.

24
25 ACTING CHAIR TUTIAKOFF: Okay, thanks.
26 Tom and then Pat.

27
28 MR. SCHWANTES: I believe you said 49
29 percent of those pots observed were dungeness pots, but
30 I thought -- correct me if I'm wrong. I thought you
31 made a comment that the commercial fishing group you
32 felt was -- I'm not sure exactly how you worded that,
33 but you felt that the majority of those were
34 subsistence pots rather than commercial pots. How were
35 you able to make that determination? I know we do have
36 an ongoing commercial fishery in that bay for
37 dungeness.

38
39 MR. CUMMISKEY: Yeah, that s true. I
40 was speaking mostly on the larger pots that we've seen,
41 the square pots, the webbed pots. We've seen several
42 of those down there. It s kind of hard to age a pot,
43 how long it's been down, but you can kind of get a
44 little bit of a relative sense and we'd see larger pots
45 and you would swim around and you could see clearly
46 where the biodegradable panel went out. The dungeness
47 compliance is, I think, a little less than that, but it
48 was kind of hard to really say. A lot of the dungeness
49 pots were pretty old, so that was a little bit harder
50 to determine.

1 ACTING CHAIR TUTIAKOFF: Thank you. I
2 understand the Island Trails Network individual will be
3 here around noon. Maybe they can work with the
4 committee and pass on this information to the committee
5 so we can come to some resolve on the original
6 proposal. Pat, you had a comment.

7
8 MR. HOLMES: Yes, Mr. Chair. I have a
9 couple of questions. Did you put any acoustic tags on
10 the adults or do they leave the bay after April when
11 they finished molting and mating?

12
13 MR. CUMMISKEY: No, we have tagged
14 adults. Most of our focus over the years was on the
15 juvenile stage. We did several years ago follow a
16 group of crab. There was about 10 to 12,000 king crab
17 that left Womens Bay. We followed them throughout the
18 fall. They moved out to near the Kalsin Island area
19 right off of Kalsin Bay and then we lost them in the
20 deeper water. We weren't diving out there, but we were
21 able to continue to follow the tags. Then they molted
22 in the winter and we lost track of that group.

23
24 MR. HOLMES: What was the average size
25 of them? Were they like pre-adults or what?

26
27 MR. CUMMISKEY: They were crab that
28 were basically pre-adults with some adults mixed in, so
29 they were right about reproductively -- getting to be
30 reproductively active and then they moved out of the
31 bay. Over time we've seen some crab leave the bay with
32 the tags on and some crab apparently seem to live their
33 whole life within the bay. We had some rather large
34 king crab that we've observed in there over several
35 years.

36
37 MR. HOLMES: It looked like you had
38 some photos of skip molt and I found it interesting on
39 the dungeness pots that you had in a couple of those
40 shots half of them had barnacles. Obviously they
41 hadn't molted in a while. Just from the size of the
42 barnacle it was probably at least two years or a year
43 or more elapsed there. I was wondering -- because
44 those dungie pots with the lids that remain closed the
45 crab were bigger than the entrance holes. Are they
46 getting into the entrance hole as 4 inch crab and then
47 growing up to 6 or 8 inch crab inside the pots or how
48 are those big crab getting into the dungie pots?

49
50 MR. CUMMISKEY: The tunnel opening on a

1 dungeness pot is fairly large and a crab will go in
2 there sideways, so it kind of puts the side in and then
3 kind of crawls in sideways, but then once they're in
4 there they can't get back out because on a dungeness
5 pot the entrance has a little prong thing that spring
6 back down and keep the crab from leaving once they're
7 in there.

8

9 MR. HOLMES: And then a question that
10 might lead towards a possible solution. What's the
11 timing of mating and molting, which months? March,
12 April or does it go into May or start in February or
13 what's the range?

14

15 MR. CUMMISKEY: Generally starts in
16 February through April or so, so it's probably pretty
17 much wrapping up now, but there's still a little bit of
18 it going on.

19

20 MR. HOLMES: The reason I asked that
21 question is if the ice is a big part of the problem
22 there, cutting buoys off, and obviously if it can list
23 a navigational buoy, that's a tremendous amount of
24 pressure. I'm just wondering with this being basically
25 the only nursery area left in this neck of the woods on
26 the north end of the island it's important for
27 subsistence, I'm wondering if maybe we should have both
28 some subsistence and recommend some commercial regs
29 that would limit the time in which pots can be in the
30 water; i.e. have it closed from November 15th to April
31 30th or something and compensation would be opening it
32 a little bit earlier so that adults that did leave the
33 bay after the ice was gone could be harvested. It
34 would compensate a bit for those people that might want
35 to have a pot in the bay.

36

37 I think another thing our Council might
38 look at is the State and Federal C&T determinations on
39 king crab because I think some folks are excluded from
40 that. I'm not sure, but I think -- no offense to the
41 Coast Guard, but I don't know that there's a -- and
42 somebody correct me -- that there's a C&T for Federal
43 waters for Coast Guard to do subsistence crab fishing.
44 I may be totally wrong, but that might be another
45 possible thing to look at. I think, if nothing else,
46 our Council should put together a strong resolution of
47 support for the cleanup of ghost pots. So that would
48 either provide some assistance from Island Trails or --
49 you know, of course, now the tribes sometimes can get
50 money when other people can't and it might be a

1 partnering thing for Island Trails and Sun'ag or Native
2 Village of Afognak or Woody Island to try and get some
3 funds.

4
5 Lastly, I'd have a question for Steve,
6 who is busily writing away. Sometimes there's funds
7 through the Office of Subsistence Management, but I
8 don't know would this be something that could be
9 addressed for a grant application, Steve, or not?
10 Because usually it's research.

11
12 MR. FRIED: This is Steve Fried, OSM.
13 The Fisheries Resource Monitoring Program is mostly for
14 collecting -- well, it is. It s for collecting
15 information in relation to subsistence management.
16 I'll also bring to the Council's attention that we're
17 also currently under some pretty good budget
18 uncertainties and budget cuts. I'm kind of assuming
19 that the monitoring program would be right up there for
20 something that would be cut before anything else
21 because we want to keep supporting the Councils and the
22 Board process and the regulatory process. Although the
23 information we get from the monitoring program is very
24 important, I mean that always seems like it's up there
25 on the chopping block.

26
27 MR. HOLMES: Thank you very much.

28
29 ACTING CHAIR TUTIAKOFF: Yes, Tom.

30
31 MR. SCHWANTES: Just one question. Can
32 you tell me if the State or the Federal government has
33 made any efforts at cleanup at all?

34
35 MR. CUMMISKEY: There's been no effort
36 as far as I'm aware.

37
38 ACTING CHAIR TUTIAKOFF: Okay. Any
39 more comments. Go ahead, Antone.

40
41 MR. SHELIKOFF: What would it take for
42 Womens Bay to be closed to commercial and subsistence
43 crab fishing? I'm guessing the crab pots on the bottom
44 are going to be fishing forever and that bay should be
45 closed to both activities in my opinion. Is there a
46 proposal to close that bay to make it a refuge of
47 sorts?

48
49 MR. CUMMISKEY: I believe there was
50 talk of that in the past, but I don't think that that's

1 been adopted.

2

3 ACTING CHAIR TUTIAKOFF: That was quite
4 a few years ago. We did entertain it, but didn't get
5 around, didn't pass. I think it was like 2003 or 4,
6 something like that. What we ended up with is what we
7 have in front of us as a result of that. The majority
8 of the community felt there was a great need for it and
9 we're here today because of the efforts to try to keep
10 it open for subsistence users. Out of that has come
11 this ghost fishing issue. Pots that are sitting there,
12 derelict pots, and you can see it's quite a few for a
13 small area. That's a lot of crab pots. I'm kind of
14 concerned now. This is just this area, this small bay.
15 What's happening in Old Harbor and Akhiok and Larson
16 Bay. I was looking at this graph here. 11,000 permits
17 were issued in '94. There were 1,700 at the Coast
18 Guard station in 1991 and nothing since then. Are
19 those numbers not being recorded? I mean permits wise.
20 I don't know why all of a sudden it just quit. I have
21 a real concern. This Womens Bay needs to be cleaned
22 up. I don't know if we can resolve that here, but we
23 are here to discuss the limits of pots and size of
24 pots. We are allowing subsistence use at this point.

25

26 We have a committee now appointed. I'd
27 like to have them have an opportunity to meet either
28 today, later this afternoon or this evening and come
29 back with a recommendation to this Council tomorrow
30 morning so we can put it on the agenda.

31

32 We're getting close to the lunch hour.
33 I don't know what the process is here other than that
34 stomachs are grumbling and getting cranky.

35

36 (Laughter)

37

38 ACTING CHAIR TUTIAKOFF: Thank you for
39 your report. I really appreciate it.

40

41 Comment?

42

43 MR. HOLMES: Can I ask one more
44 question?

45

46 ACTING CHAIR TUTIAKOFF: Comment.

47

48 MR. HOLMES: One more question.

49

50 ACTING CHAIR TUTIAKOFF: Okay.

1 MR. HOLMES: I guess this is before we
2 had some reports on the importance of this as a nursery
3 area and I wonder if you or Wayne -- I think Wayne
4 mentioned to me the other day that the last trawl
5 survey in Chiniak where the adults used to migrate out
6 to, they basically found no king crab at all, is that
7 correct, off the island here?
8

9 And then I was wondering if Pete could
10 comment. I know you're not tracking adults, but what's
11 the trend there? Are you guys seeing more adults in
12 the bay or are they dropping down like elsewhere
13 because that's such a sheltered place. What's the
14 trend on adults in the bay and Chiniak?
15

16 MR. CUMMISKEY: I couldn't -- our dive
17 efforts in the last few years have diminished over what
18 they were a few years back, so we don't have as much of
19 a handle on the numbers of crab in the bay. The trend
20 has been kind of going down over the last 10 or 15
21 years in the number of crab that we've seen out there,
22 but in the last two or three we haven't dove enough to
23 really be able to have as good of a handle on it as we
24 might have 10 years ago.
25

26 MR. DONALDSON: The Department of Fish
27 and Game conducts an annual trawl survey in Chiniak
28 Bay, not Womens Bay, which is adjacent to Womens Bay.
29 The last three years, 2010, '11 and '12, we have not
30 caught any red king crab. The last four out of the
31 last five years we've caught no red king crab. Now
32 certainly we don't survey the entire bay, but it's the
33 same set of stations that we run every year. If you
34 look back to the late 1980s when we began the trawl
35 survey, we used to -- these are population expansions
36 from the trawl survey catch, but we used to catch
37 regularly 40 to 100,000 crab per year in that index
38 area of Chiniak Bay. The last three years we've caught
39 zero.
40

41 MR. HOLMES: That s what I recall from
42 Guy Powell's tagging information, the ones they did tag
43 in Womens Bay. Walked right out there into Chiniak.
44 It's just really important. I guess what I'm trying to
45 establish is the importance of the area as a nursery
46 area. And perhaps if we do put together a resolution
47 about supporting the crab pot removal, maybe it might
48 help you folks get a couple extra bucks. God knows if
49 you'll have your jobs next year, but hopefully you can
50 be able to do a little more work to see how the overall

1 population is doing. I really do appreciate you making
2 this presentation on crab pots because that's obviously
3 a major problem.

4

5 Thank you very much.

6

7 MR. DONALDSON: Just one final comment.
8 The subsistence permits that are issued and returned
9 for the Chiniak Bay area, which includes Womens Bay, in
10 2011 we had the lowest number of reported red king crab
11 caught ever at 21. That's the lowest since 1990. Our
12 surveys indicate that the population is pretty low and
13 the report of subsistence harvest indicates that it's
14 very low as well.

15

16 ACTING CHAIR TUTIAKOFF: Okay. Thank
17 you very much for your input and information.

18

19 Iver.

20

21 MR. MALUTIN: Can I continue my
22 presentation?

23

24 ACTING CHAIR TUTIAKOFF: Elder always
25 has precedence here. Then we'll do a review of where
26 we are.

27

28 MR. MALUTIN: Thank you. And I really
29 appreciate the comment that I heard here this morning.
30 In fact, that's the best I've ever heard. For all the
31 reasons, and I don't know what they were, we have been
32 on top of this from day one because this has been going
33 on for years and years and years. In the '60s, Guy
34 Powell, the father of the king crab, deserves a lot of
35 credit because he did a lot for what tools he had to
36 work with, which were just about none.

37

38 No money.

39

40 And I really appreciate the comments we
41 heard here today. Like I said, it's the best I ever
42 heard. Now we are getting some of the problems that
43 are identified. The tribes are working -- like the
44 Sun'aq Tribe is working with the Pribilofs on trying to
45 clean up the pots in the Bering Sea and Kodiak. So
46 what we've got to do is get every village in Kodiak,
47 every tribe, get together and there is, believe it or
48 not, Federal money according to what I understand.
49 Sometimes I don't understand everything, but I
50 understand sometimes when there's money.

1 I just think that since these problems
2 are identified, just imagine what the pot loss is in
3 the areas that were heavily hit all around the island.
4 Womens Bay is just a little drop in the bucket. I'm
5 not sure, I wanted to ask him, what the life was of a
6 pot in the water that is dangerous to the crab. I
7 think that would be interesting to know. And making
8 guesstimates on some of the things. It sounds like we
9 have the tools and the resources to really move ahead.
10 I think Pat had a really really good solution to the
11 problem by getting resolutions going and every one of
12 us get going on this thing and start cleaning up these
13 pots. Like it or not, the subsistence fishermen are
14 killing themselves by losing a pot, like it or not, and
15 everybody else is too.

16
17 That's all I've got to say. I think of
18 more later.

19
20 Thank you.

21
22 ACTING CHAIR TUTIAKOFF: Okay. Thank
23 you.

24
25 We have Island Trails.

26
27 MR. SCHROEDER: Andy Schroeder.

28
29 ACTING CHAIR TUTIAKOFF: Andy.
30 Welcome. We're about ready to break, but we want to
31 hear from you and have you work with our committee that
32 we've got going on Proposal 13-14.

33
34 MR. SCHROEDER: Thanks for having me.
35 My name is Andy Schroeder. I'm the executive director
36 of Island Trails Network. Mr. Chair, how much time
37 would you like me to take?

38
39 ACTING CHAIR TUTIAKOFF: I don't know.
40 10 to 15 minutes at the most.

41
42 MR. SCHROEDER: Okay. Thank you.
43 Island Trails Network is a nonprofit organization
44 founded right here in Kodiak, Alaska. Our mission is
45 to develop, maintain and promote sustainable trails,
46 waterways, coastline and access to those resources
47 through action, advocacy and education. That's a long
48 mission, but let me pick a few choice words out of it.

49
50

1 One thing we do is that we maintain
2 sustainable coastline through action. One of the ways
3 that we have done that over the last five years is
4 through cleaning up marine debris. Marine debris being
5 anything introduced into the ocean environment manmade
6 that doesn't belong there.

7
8 Since we began doing marine debris
9 cleanups, mostly surface based beach cleanups,
10 community beach cleanups, we've picked up about 85,000
11 pounds of marine debris and recycled all of that since
12 we can't send it to our local landfill. Most of that,
13 as I say, has been volunteer-driven cleanups that are
14 surface based.

15
16 Right now we're dealing with the influx
17 of foam and lightweight floating materials that has
18 come from the 2011 Tohoku tsunami and we are working at
19 fund development to help address that natural disaster
20 as thousands and thousands of miles of coastline in the
21 Gulf of Alaska have been impacted by that tsunami.
22 Anybody that walks the beaches these days will see an
23 increase in the number of foam and we worry that the
24 lower floating heavier marine debris items are not far
25 behind as a side note.

26
27 This does impact subsistence resources,
28 this marine debris, both on the surface and subsurface
29 through entanglement and ingestion by wildlife and we
30 are looking for support in the ways of letters of
31 support specifically to the governor as we pursue state
32 action to address the marine debris phenomenon that's
33 caused by the tsunami.

34
35 That's not why you've invited me here
36 today. You've invited me, I believe, to talk about
37 derelict crab pot removal in Womens Bay, which is
38 something that was brought to our attention by Pete
39 Cumiskey, who is in the audience today. He has done a
40 study over the last many years documenting king crab in
41 Womens Bay. One thing he's found out through crab
42 tagging is that these animals are getting caught in
43 these ghost fishing crab pots, crab pots that were
44 lost. Either the float was taken away or lost or not
45 tied on properly, taken away by ice flows.

46
47 These pots stay on the sea floor and
48 continue fishing throughout their lives. Some pots,
49 most pots even, are rigged with rotten cotton bio-twine
50 that will eventually allow the trap door to open and

1 the crabs escape. Mr. Cummiskey's research has found
2 that a lot of those aren't working. Some pots are not
3 rigged with bio-twine. Many pots down there. We don't
4 know exactly how many are down there fishing.

5
6 The study that is currently under peer
7 review and we think it's going to be published later
8 this year sometime and it's going to state that
9 somewhere at least 14 percent on the low end of king
10 crab in Womens Bay are dying because of derelict crab
11 pot fishing. Our goal, and we're at an early stage in
12 this, is to raise some funds to remove those crab pots
13 or remove the threat.

14
15 We're in consultation with NOAA right
16 now as we develop and scope the plan as to whether the
17 best thing to do is just to pull the pot right off the
18 bottom and dispose of it, but that comes with all kinds
19 of logistical challenges of getting those pots back to
20 a scrap yard and recycling those pots. It may, in
21 fact, be better to disable the pots and leave them down
22 there. The vertical structure, as we found out through
23 Mr. Cummiskey's research, sometimes the vertical
24 structure and columns down there provide habitat for
25 the crab and king crab actually like that.

26
27 In any case, Island Trails Network in
28 2012 received a small grant for a pilot project to put
29 a boat out there in Womens Bay, pick up derelict crab
30 pots and remove them and we did this based on -- we had
31 to know where the pots were. We were using a remote
32 operated vehicle, an unmanned submersible to go down
33 and identify the pot, hook onto it and then lift it up.

34
35 We started with a side scan survey
36 performed by NOAA, the Fairweather, one of their
37 launches went out in the bay last summer, a few months
38 before we started, and did a survey, a transect of
39 Womens Bay. It was all done in one day and they gave
40 us the raw data and then we had some targets to go out
41 and look after. That survey turned out to be flawed in
42 some ways. It actually pointed us more towards tires
43 and other things that were on the bottom rather than
44 crab pots. So one of the things we found as a result
45 of that pilot study is we need to go out and do a
46 better survey and readjust the frequency of our sonar
47 to find actual crab pots.

48
49 The crab pots that we did find we were
50 able to hook into with a submersible and pick up and

1 actually remove. We found that there is a mechanism
2 now to recover these and it's fairly cost effective.
3 So we are in the sort of next phase as to get a more
4 extensive pilot study or actual funding to remove a
5 substantial portion of these pots. There are hundreds
6 of them down there. Many of those are actively fishing
7 and, again, 14 percent mortality at a minimum. It
8 could be quite a bit higher than that as the paper to
9 be published will say.

10

11 We believe this is a threat to a
12 subsistence resource and when you consider the bang for
13 your buck, so to speak, of a dollar spent on rearing a
14 crab in a hatchery versus actually removing a crab pot
15 to allow existing adult king crab to continue to
16 reproduce, it's a very cost effective way to help
17 encourage repopulation of that species.

18

19 Our only consultation so far has been
20 with NOAA. There will be a grant opportunity in
21 November, which we plan on applying for, but we're
22 interested in other partners too. I imagine we'll be
23 asking you for a letter of support at that time. Also
24 hope to have discussions with other stakeholders. There
25 are many of them out there. As you can tell, I'm kind
26 of a trails guy who has now found his way into an
27 underwater -- in front of a board who deals with an
28 underwater subsistence resource, so I'm not in my
29 element here. There are stakeholders yet who we
30 haven't met. We hope to meet them, have conversations
31 with whether this is something that you would support.
32 I feel personally that this could be an effective way
33 to allow repopulation of king crab in Womens Bay.

34

35 If you have any questions, I'll be glad
36 to answer them and I'll also make myself available
37 throughout the week for anybody that wants to meet
38 specifically with me on derelict crab pot removal or
39 tsunami debris, a plan of action for dealing with the
40 tsunami debris.

41

42 Thank you very much.

43

44 ACTING CHAIR TUTIAKOFF: Thank you.
45 I m sure you ll have maybe a couple committee members
46 that might want to contact you today or tomorrow
47 sometime. We'll be in session most of today and
48 tomorrow.

49

50 Any comments. Go ahead, Sam.

1 MR. ROHRER: Thanks, Andy, for coming
2 on such short notice. I appreciate you throwing a
3 little presentation together for us. I'm just curious,
4 do you have currently any funding available for this
5 summer and are you planning on doing any work this
6 summer?

7
8 MR. SCHROEDER: No, we have completed
9 our pilot study. I think that grant was \$16,000, which
10 doesn't get you much in the way of a submarine attached
11 to a boat in the water. So we had a short pilot study.
12 We've gone through those funds and now we're looking to
13 see if we can use that data to raise some more funds.

14
15 ACTING CHAIR TUTIAKOFF: Thank you.
16 Any more questions or comments from Council.

17
18 Go ahead, Antone.

19
20 MR. SHELIKOFF: I just wanted to, how
21 do you say, qualify myself. I did work with crab pots
22 for 14 years and I do know they fish for a long time if
23 you don't put cotton on them. That's a justification
24 of my comment. I just don't believe that -- I mean I
25 believe that bay should be closed to both activities
26 whether or not people like it or not. I mean that's
27 just my opinion. Those 400 crab pots are going to fish
28 forever and I know what I'm talking about because I
29 worked with crab pots for 14 years. That's all I'm
30 saying.

31
32 Thank you.

33
34 ACTING CHAIR TUTIAKOFF: Thanks,
35 Antone. Any more comments.

36
37 (No comments)

38
39 ACTING CHAIR TUTIAKOFF: Thank you very
40 much, sir, for showing up on short notice and informing
41 us a little bit about what's happening there.

42
43 Thank you.

44
45 MR. SCHROEDER: Thank you.

46
47 I'll be in the back at lunch.

48
49 ACTING CHAIR TUTIAKOFF: Thank you. At
50 this time we'll go through our agenda for this

1 afternoon and tomorrow quickly with Tom and then we'll
2 break for lunch. So, Tom, can you give us an update on
3 where we are.

4

5 MR. JENNINGS: Thank you, Mr. Chair.
6 I just wanted to confirm that I understood what your
7 directives were. So the action items that you're
8 talking about you want to move towards the later part
9 of the meeting. 13(E) is where you're going to address
10 those action items, which would include the crab
11 proposal and it would include the draft annual report.
12 Those are the two items that I'm aware of on that that
13 I see for action items.

14

15 ACTING CHAIR TUTIAKOFF: What I have on
16 my list here, Tom, is there's a letter of support for
17 the -- a letter on the 2012 letter to the Federal
18 Subsistence Board and a travel issue was brought up.
19 The Unalaska support letter, the crab item. I have
20 four so far.

21

22 MR. SCHWANTES: Mr. Chairman. There's
23 one more, the rural determination you wanted to put on
24 there.

25

26 ACTING CHAIR TUTIAKOFF: Yeah, we'll be
27 hitting that probably -- that's next on our agenda.

28

29 MR. JENNINGS: The Emperor.

30

31 ACTING CHAIR TUTIAKOFF: Yeah, Emperor
32 Geese when we come back into session will be the next
33 item. Sorry about that.

34

35 MR. JENNINGS: Yeah, Mr. Chair. Thank
36 you. Regarding the Emperor Goose agenda item, Rick
37 Rowland is the Kodiak area representative to the Alaska
38 Migratory Bird Co-Management Council. He had to step
39 away. He's got a doctor appointment. I think it would
40 be real important for him to be able to participate in
41 that. So if he's not back when you're ready to
42 reconvene, I would suggest just holding off on that one
43 and keep moving on your agenda until he's able to
44 participate.

45

46 Thank you.

47

48 ACTING CHAIR TUTIAKOFF: Okay, we'll
49 note that when we get back and if he's here, we'll get
50 on it. If not, we'll move it out to another item on

1 the agenda. Any more agenda changes.

2

3 MR. KOSO: You mentioned Dutch Harbor
4 Bay closure for that travel or annual report I guess
5 you had it on also.

6

7 ACTING CHAIR TUTIAKOFF: Okay. That s
8 what I had. I had four items. Hearing no further
9 comments at this time on our agenda, we'll break for
10 lunch. How long do you want to take? It's noon now.
11 Can we do it in one hour or come back at 1:15. We'll
12 reconvene at 1:15. Those of you online we'll talk to
13 you later when you call back in.

14

15 Thank you very much.

16

17 (Off record)

18

19 (On record)

20

21 ACTING CHAIR TUTIAKOFF: We'll call the
22 Kodiak/Aleutians RAC back to order after lunch on our
23 afternoon agenda. Before we get started I'd like
24 Melissa Berns, new member to the Council, to give a
25 brief interview or introduction about your being on the
26 Council.

27

28 MS. BERNs: Hello. My name is Melissa
29 Berns. I am from the village of Old Harbor of Alutiiq
30 descent. It's a pleasure to be here today and to serve
31 with you all. I have grown up in a subsistence
32 lifestyle throughout my life living out in the village
33 and residing here on Kodiak Island. I serve on the Old
34 Harbor Tribal Council as a vice president and I've been
35 on there for several years and I also work for the Old
36 Harbor Native Corporation. I'm very active within my
37 community, volunteering my time with youth and sharing
38 my knowledge of our subsistence harvesting.

39

40 One of my primary goals being a mother
41 and being Alutiiq is the sustainability of our
42 resources for the future use for our children. So
43 thank you very much and thank you for having me.

44

45 ACTING CHAIR TUTIAKOFF: Thank you and
46 welcome on board. We're on 11 , the status of the
47 Emperor Goose proposal and the Alaska Migratory Bird
48 Council and we have Rick Rowland here and he'll give us
49 a brief introduction on that issue.

50

1 MR. ROWLAND: I am Rick Rowland. I'm
2 working for Sun'aq Tribe of Kodiak as a natural
3 resource director, but we manage a grant that's
4 provided to the whole community from the U.S. Fish and
5 Wildlife. It's Alaska Migratory Bird Co-Management
6 Council grant. With that grant we have opportunity to
7 do outreach and education to all the communities in our
8 area and we have a couple meetings a year here in the
9 Kodiak region to have discussions and create
10 resolutions with village members who come in to Kodiak
11 and voice their concerns and put their proposals down
12 in a request form and then present it to the Alaska
13 Migratory Bird Co-Management Council in Anchorage
14 during a couple times during the year.

15
16 This specific case I'm here talking
17 about is the Emperor Geese, which relates to a proposal
18 that was drafted a year or so ago by the regional group
19 of Alaska Migratory Bird Co-management Council
20 representatives from the island. We sat for a day and
21 discussed the importance of creating a migratory bird
22 proposal related to Emperor Geese. We came up with the
23 proposal to allow Emperor Geese hunting in the Kodiak
24 area in the amount of four per household to community
25 members within the flyway of the Emperor Geese. Rural
26 members within the flyway of the Emperor Geese. And
27 then also in that proposal we requested that there be
28 an Alaska migratory bird flyway committee created.

29
30 The reason why -- there's a couple
31 reasons why we decided to do that was because in the
32 process now when proposals are created a member from
33 one of the communities creates a proposal. That
34 proposal goes to the Alaska Migratory Bird Co-
35 management Council and then it's decided on whether or
36 not a few criteria about whether it should go onto the
37 flyway committee, which is -- there's a Pacific Flyway
38 Committee, a Midwest Flyway Committee, Atlantic Flyway
39 Committee. They make a decision on it and then it goes
40 to the Service's recommendation, SRC, Service
41 Regulatory Committee, and then it's published in the
42 Federal Register if it's decided on it would be a
43 proposal that would work.

44
45 So in this proposal process the group
46 decided to request support from the Regional Advisory
47 Council and then during that discussion the last time I
48 talked to you guys you were on the phone at Cold Bay, I
49 believe. It turned out that it was turning into being
50 a proposal that would be for two birds per household of

1 someone who's over a certain age and then after taking
2 that back to the group and having that discussion and
3 having a discussion with an attorney, it made sense not
4 to support or present that proposal for a couple
5 different reasons.

6
7 One reason we would not support a
8 proposal that would do something like that to limit it
9 is because one of the criteria that they decide whether
10 or not a proposal should be passed in the Alaska
11 Migratory Bird Co-management Council level, the first
12 thing they say is it legal. So we started thinking
13 about that and then we decided that if we created
14 something to where we only allow two birds to be hunted
15 per household for a certain age limit, when we decided
16 it was time to go and adjust that regulation, we would
17 make a proposal to say either four birds per household
18 instead of an age limit. So their first question would
19 have been is it legal and then just because it's
20 considered not legal, it would not be a valid proposal
21 that would be allowed to be submitted.

22
23 Another thing that really piqued our
24 interest, because I had discussions with Peter Devine
25 out in Sand Point, was about the methods of harvest
26 that they're doing or methods of survey that
27 they're doing. So the information they're providing us
28 isn't correct information in our belief because when
29 they fly that survey, they fly from Jack Smith Bay or
30 something up in Western Alaska and then they fly only
31 down to Unimak Pass and then they fly the southern
32 coast of the Alaska Peninsula up to Wide Bay and during
33 those times there's Emperor Geese that are here,
34 there's Emperor Geese that are out in Shumagins,
35 there's Emperor Geese that are out in western Aleutians
36 from what Peter is saying. So they're not getting
37 accurate information that allows for creating an actual
38 hunt. So we would have been putting in a proposal,
39 limiting ourselves on a proposal that didn't have the
40 correct data related to it.

41
42 We also connected along the level of
43 per Alaska Natives in rural communities. We compared
44 it to the sea lions and the sea otters, which Alaska
45 Natives are allowed to hunt, and the Emperor Goose is
46 considered an endangered species. So the group
47 believed that these migratory birds should be eligible
48 to Alaska Natives the same as they are under the sea
49 lions and the sea otters.

50

1 So those were a few of the reasons why
2 we decided not to put in our proposal and then,
3 following that, we heard that the Regional Advisory
4 Council was going to put in a proposal. Getting to
5 that proposal that I haven't seen yet at the migratory
6 bird level, I have to say that we've had discussions
7 about Emperor Geese and we're at the point now to where
8 we need to have all the information before we put in a
9 proposal because there's a possibility that if they do
10 the survey and that number kicks up, then it will
11 automatically kick in a population of birds that we
12 won't have to put a proposal in.

13

14 Those are a couple of reasons why we're
15 just standing by related to Emperor Geese because we
16 believe that there's a population that's enough to hunt
17 them, but if we put in a proposal, it might limit us.

18

19 There was one more thing here. I guess
20 that s it for right now. Oh, yeah. The other thing is
21 that in that proposal we put in we requested that a
22 flyway be created for Alaska related to Emperor Geese.
23 One of the reasons why we decided to talk about that is
24 because there are 3,500 birds taken annually, Emperor
25 Geese taken annually from the information. From
26 researching, information was found that there was a
27 business in Illinois that was a state LLC, which is an
28 actual for profit business, that was marketing hunts
29 for Emperor Geese in eastern Russia in Siberia area, so
30 we didn't think that it was okay for somebody in
31 Illinois to be advertising a migratory Emperor Geese
32 hunt in eastern Siberia when we, as Alaska Natives,
33 couldn't hunt that specific animal.

34

35 We also felt that it was more important
36 because those birds fly from the Aleutians to Kodiak to
37 Eastern Siberia. It's a home bird and it's always been
38 used as a food source here in the Gulf of Alaska,
39 Western Aleutians and the Bering Sea, that the people
40 here should be in charge of making the decisions
41 related to those kind of animals in those communities.

42

43 That's pretty much all the information
44 I have. So we're coming up to another Alaska migratory
45 bird meeting next week and I'll mention to them that I
46 had the discussion with you about this proposal and
47 information about what we're thinking about at that
48 level.

49

50 ACTING CHAIR TUTIAKOFF: Okay, thanks.

1 Any questions or comments. Tom.

2

3 MR. JENNINGS: Thank you, Mr. Chair. I
4 don't mean to jump in front of you, folks, if you have
5 some questions, but I just wanted to add something and
6 Rick might be able to expand on some things. So
7 following the Sand Point meeting there was a lot of
8 discussion on that. In the meeting minutes on Page 6,
9 the last paragraph, that was the motion that the
10 Council supported, was to get a letter of support to
11 the proposal that Rick had shared with us.

12

13 Short of that, they also decided if
14 that proposal doesn't go
15 forward, that you would submit your own. So that's
16 what we did. I worked with Pat and Mitch to develop
17 the proposal and we did submit that to the AMBCC on
18 behalf of the Council. I think I sent that to you by
19 email. So that's in the process. In your packet I
20 included some information from the migratory birds
21 folks, one of which is the schedule for the Co-
22 management Council and Rick was talking about you guys
23 are going to have a meeting.

24

25 MR. ROWLAND: Next week.

26

27 MR. JENNINGS: Okay. So that's where
28 it's at right now. It's in the cue, right, to be
29 considered or discussed and some decision made on it,
30 is that correct?

31

32 MR. ROWLAND: Well, it's been submitted
33 and then at this point I believe that it goes to the
34 Alaska Migratory Bird Co-management Council and it
35 follows a process once it reaches there. Depending on
36 what process it's at, it either goes to the Alaska
37 Migratory Bird group or to a committee to have a
38 discussion related to it prior to going to the Alaska
39 Migratory Bird full council.

40

41 As an explanation, Alaska Migratory
42 Bird Council is representative of one vote for the
43 Native caucus, there's 10 or 12 different regions that
44 have a Native caucus that discusses the way the Native
45 vote should be done and there's Alaska Department of
46 Fish and Game and there's U.S. Fish and Wildlife. So
47 three members represent that voting board to determine
48 whether or not that proposal goes on to the Flyway
49 Committee for recommendation to the SRC.

50

1 MR. JENNINGS: Thank you. Thanks,
2 Rick. One thing, as Rick described, the way that
3 process goes, Fish and Game has a vote, the AMBCC
4 tribal reps have one vote and then Fish and Wildlife
5 Service does as well. I provided you with Eric
6 Taylor's response. You've heard that dialogue before
7 about they haven't reached the population threshold.
8 That's pretty much in his findings there that he could
9 not and his group could not recommend forwarding that
10 proposal based upon the population numbers.

11
12 I understand about all the survey
13 discussion and you guys have been through that, but
14 that's just the status of it today. We'll see where it
15 goes.

16
17 Thank you.

18
19 ACTING CHAIR TUTIAKOFF: Go ahead,
20 Rick.

21
22 MR. KOSO: Yeah, Rick. On this, how do
23 you propose to get them to do their surveying
24 differently to take in the western Aleutians and other
25 areas that they don't normally count the birds at right
26 now?

27
28 MR. ROWLAND: In the discussions that
29 we've had with them,
30 which were a couple of different meetings, the
31 representatives from those areas communicated to them
32 where they should go and survey and information was
33 presented to them that there's birds from St. Lawrence
34 Island all the way out to the end of the Chain all the
35 way over to Kodiak and up in the Alaska Peninsula area
36 that they should survey in those areas adequately and
37 survey the islands around the Alaska Peninsula as well.
38 Of course, we can't tell them where they're going to
39 have to go survey, but we suggested that they expand
40 their survey area and create more relevant data.

41
42 One of the other things too is that
43 we're dealing specifically with migratory birds in this
44 group and some of the survey information that they're
45 collecting doesn't seem like it makes a lot of sense,
46 so we're encouraging them and suggesting that they
47 expand the search and make sensible presentations of
48 the information to where it will show what's really
49 there because we, as Alaska Natives in the areas, know
50 that there's probably a whole heck of a lot more above

1 that threshold for flagging a possible use.

2

3 ACTING CHAIR TUTIAKOFF: Go ahead, Pat.

4

5 MR. HOLMES: Yeah, Rick. I'm solid 100
6 percent with you because we've -- you know, our attempt
7 was a little smaller than yours. We were just trying
8 to get a couple of geese for elders, you know, and try
9 to get it underneath the threshold that they had so
10 that they would at least have a taste of them before
11 they died, you know, and get that concept going. Like
12 you said on the sea lions, there's special things from
13 marine mammals and for other species and that's what we
14 were hoping to stimulate is just a couple, even two in
15 the village, you know, would be something for the old-
16 timers.

17

18 And I do share your concerns about
19 their sampling design. Two years ago I asked them to
20 send that to us after they gave us what I considered in
21 biological terms a bullshit answer and they never sent
22 it. Even in this letter they're talking about, well,
23 we asked for this information and so they said, well,
24 we gave a PowerPoint presentation to the AMBCC. Why
25 aren't they coming back to our Council because we're
26 asking the same questions.

27

28 It would seem to me that if Rick is
29 seeing geese on April 30th, which is the end of their
30 survey period for the Peninsula and your friends see
31 them in Larson Bay and Port Lions, I think everybody
32 that sees them during that survey period should sit
33 down and document it, photograph it and pass it to you,
34 pass it to us so that we can give them a poke because
35 they really do need to be surveying a larger area.

36

37 One of the questions I asked them on
38 their survey design is if they just fly straight line
39 transects or do they adapt it to what they see because
40 in biological work in the last 10, 15 years they've
41 gone to adaptive type of sampling where you fly, you
42 see birds and then you do a more intense survey of that
43 area where you're seeing the birds so that you get a
44 really good count rather than just fly straight across
45 Cold Bay or across Chiniak or wherever. So we're right
46 in there with you and we sure hope that we can get them
47 to be more responsive to local folks on getting some
48 decent counts.

49

50 MR. ROWLAND: Thanks, Pat. Rick, I

1 think that one suggestion that might help with finding
2 out more information is, if possible, if they were to
3 receive a letter from the Regional Advisory Council for
4 them to expand their survey area to include the Western
5 Aleutians and the Shumagins and the Kodiak and maybe
6 that would help them get more money for having the fuel
7 to allow them to go out there. That would be one
8 suggestion along with Pat's, finding a way to include
9 all the students in the schools to do a count day or a
10 count week or something like that within the
11 communities that are in those areas. Those were a
12 couple of the things that we talked about when we were
13 troubleshooting it as well.

14

15 MR. KOSO: Yeah, Rick. We talked about
16 this before as far as where they do their survey. We
17 were told that they went all the way to Atka, so I
18 didn't really pay much attention after that because,
19 you know, Adak is just 100 miles a little further west
20 where I've seen up to 1,000 or better every year just
21 in the one area, so we hadn't been looking for them.
22 Telling me that they already went out -- or they do
23 their survey all the way out to Atka and then you're
24 saying that they only go to Unimak Pass, which is 400
25 miles away, so there's a lot of area that's not being
26 covered if that's the case.

27

28 MR. SQUARTSOFF: Mr. Chair.

29

30 ACTING CHAIR TUTIAKOFF: Go ahead,
31 Pete.

32

33 MR. ROWLAND: That's correct, Rick. I
34 asked them specifically in one of the Migratory Bird
35 meetings. I said when was the last time you guys went
36 past Unimak Pass and they said we've never gone past
37 Unimak Pass.

38

39 MR. SQUARTSOFF: Yeah, Rick. My
40 question is, you know, we can hunt these Emperor Geese
41 under the Federal Subsistence and that doesn't open
42 until what, May or something or June?

43

44 MR. ROWLAND: Pardon?

45

46 MR. SQUARTSOFF: The Federal
47 subsistence for migratory birds. There is a season for
48 that?

49

50 MR. ROWLAND: No, Pete.

1 MR. SQUARTSOFF: There isn't?

2

3 MR. ROWLAND: No, there is not a season
4 on Emperor Geese during subsistence. One of the
5 reasons why is because the migratory birds are not
6 covered under ANILCA. They're covered under specific
7 treaties that are created between the different
8 countries, Japan, Russian, Mexico, South America and
9 Canada about the birds that migrate like that. So in
10 that scope of treaties there's wording that relates to
11 indigenous individuals on uses of those migratory birds
12 and then we're at the level to where we're arguing
13 about what indigenous means because under a letter of
14 submittal that was put in in the late '90s the
15 definition of what indigenous is was changed, so we
16 have to work to change that back to where it would
17 allow the indigenous people to utilize those species,
18 but currently there is no rule that says we can.

19

20 MR. SQUARTSOFF: So there's also
21 nothing else under the endangered species, like seals
22 and sea lions, for birds.

23

24 MR. ROWLAND: No.

25

26 MR. HOLMES: Mr. Chairman.

27

28 ACTING CHAIR TUTIAKOFF: Go ahead, Pat.

29

30 MR. HOLMES: Rick, one of the concerns
31 that our Council has had and it was raised to us by
32 Alex Panamaroff, Jr. over in Larson Bay was the -- they
33 were concerned about Harlequin ducks and so many lodges
34 and folks focusing on those for trophies. I know some
35 of the guides that work over there are very
36 conscientious and bring the birds to the village and
37 others aren't so conscientious and we've talked for
38 quite a while asking the Refuge if they could do a log
39 book thing or see what's being removed because the
40 Harlequins, as you know, are very homebodies in the
41 winter and all the tagging studies that have been done
42 over there in Uyak showed that they come back year
43 after year.

44

45 So, you know, the concerns that I've
46 heard from Larson Bay is they're worried whether or not
47 the population is diminishing. I know this year they
48 didn't get to survey there, but did the east side, so
49 we'll be looking anxiously to see what happens next
50 year.

1 We were referred -- at least what I --
2 because I teleconferenced last time and couldn't hear
3 very well, but I think we were advised that if folks
4 wanted to have some documentation or a log book on
5 what's being removed that we would need to raise that
6 question with the State. But I just wanted to pass
7 that on to you and I'm sure you've heard some similar
8 comments from folks on their concerns of soup ducks
9 being used for trophies.

10
11 Anyway, I just wanted to pass that on
12 that that was something that we've been talking about
13 and trying to find some resolution on or track and see
14 if there is a problem or not.

15
16 MR. ROWLAND: Thanks, Pat. There has
17 been discussions about surveys related to the village
18 communities and areas. The State of Alaska does do
19 specific surveys for certain areas but for quite a few
20 years it's been in the Bristol Bay region. One of the
21 interesting things about the surveys is that there's a
22 couple different things that have to be figured out in
23 there. One is the sports hunting of migratory birds,
24 which is covered under State of Alaska, there's
25 subsistence and then there's the different seasons.

26
27 So there's a lot of coordination that
28 has to go on with those surveys and currently the State
29 of Alaska does those surveys and the hope is that
30 eventually those surveys will be able to rotate down to
31 the Kodiak area to where we can get an adequate idea of
32 what exactly is going on here with the birds and
33 possibly that might fit under when that survey rotates
34 down here.

35
36 ACTING CHAIR TUTIAKOFF: Any more
37 comments or questions for Rick.

38
39 (No comments)

40
41 ACTING CHAIR TUTIAKOFF: Thank you,
42 Rick. How does the Council feel about having a support
43 letter for expanding the survey. It sounds like what
44 we need to have done here. I reviewed the minutes of
45 last meeting and we have four to household being
46 proposed, but I think we should get a letter out of
47 support and ask the Council how they feel about that.

48
49 MR. KOSO: Do you need a motion to that
50 or what?

1 ACTING CHAIR TUTIAKOFF: Yeah, I think
2 a motion would be to get a support letter or a
3 resolution or something from the Council that supports
4 expanding the survey area to go west of Unimak and up
5 the south peninsula of Sand Point area and into Kodiak.

6
7 MR. KOSO: Mr. Chair. I'd like to make
8 a motion to that effect.

9
10 MR. ROHRER: Second.

11
12 ACTING CHAIR TUTIAKOFF: It's been
13 moved by Rick and seconded by Sam. Okay. All those in
14 favor -- discussion. None.

15
16 IN UNISON: Aye.

17
18 ACTING CHAIR TUTIAKOFF: Motion
19 carries.

20
21 MR. ROWLAND: Thank you.

22
23 ACTING CHAIR TUTIAKOFF: Thank you.
24 Where are we now? What are we doing with this
25 proposal? I'm kind of getting lost with it. Has it
26 been proposed, submitted?

27
28 MR. JENNINGS: Yes, Mr. Chair. We
29 submitted the proposal requesting a hunt for Emperor
30 Geese, for which the season is now closed. There is no
31 open season for Emperor Geese. Through that process
32 it's in the cue. The bodies are going to weigh on that
33 proposal and either thumbs up or thumbs down. As you
34 heard, Fish and Wildlife Service is not supporting it
35 from their technical side. The advice that Rick got at
36 the meeting was that they pretty much decided to pull
37 the proposal. You can look on the horizon what may
38 happen to that. You understand how some of this goes.
39 We'll learn about that shortly and I'll report to you
40 when I learn something on that proposal.

41
42 ACTING CHAIR TUTIAKOFF: Okay. Thank
43 you.

44
45 MR. JENNINGS: I do have something to
46 add. In regards to the letter, I can work with you on
47 that and get a letter of support. When I reviewed the
48 transcripts, you guys talked -- a lot of people
49 identified a lot of different areas where they've
50 observed geese, you know, through its range in Alaska

1 in your region. If you'd allow, I'd like to be as
2 comprehensive as possible to describe a lot of those
3 areas in the letter if it makes sense.

4

5 Thank you.

6

7 ACTING CHAIR TUTIAKOFF: I think that's
8 a good point. Do we need to reiterate the areas that
9 we've observed them? They're on the record from the
10 Sand Point meeting. If anyone else has any new ones,
11 bring them forward. Pat.

12

13 MR. HOLMES: Mr. Chairman. Not on new
14 areas, but in the philosophy that our Council has been
15 pursuing, I would suggest that in our letter, just for
16 folks' approval, tentatively that we point out that
17 what our Council is going for is -- and I can see the
18 need to have a threshold because a threshold is for an
19 open hunt, for everybody. The question that we're
20 trying to raise is

21 could they not have a special subsistence hunt with a
22 very small number so that you could take an X number
23 for a village once a year. Something like that. I
24 think that's what we were hoping for until the numbers
25 do come up for a threshold for a general opening.

26

27 I guess maybe we'd want to ask that
28 they consider creating some type of -- what do you call
29 it, a stepped approach, for harvest where you'd have,
30 you know, the small subsistence harvest for elders and
31 maybe you'd have another opening farther up because
32 when they set that threshold it was for the whole
33 United States to reach this threshold in Alaska for
34 birds so they could have a general opening.

35

36 What our Council has asked for is just
37 so we could get four in Kodiak and Iver and the
38 Pesterkoffs and the Carlsons could get together and
39 have a goose and then the next level is something that
40 might be a subsistence level like they do for marine
41 mammals, but maybe some type of that approach in our
42 letter besides a resolution if that would be acceptable
43 to the Council.

44

45 ACTING CHAIR TUTIAKOFF: Okay. Thank
46 you. There are no more discussion on that issue.

47

48 You've got some more.

49

50 MR. JENNINGS: Thank you, Mr. Chair.

1 Yes, I do. I'll just try to give you some more
2 background on there. I think we've had some discussion
3 on it. One of the things where this threshold, this
4 80,000 bird level is described, it's in a management
5 plan for Emperor Geese. That's kind of the backbone of
6 some of this decision making from the management
7 agencies. I think -- I know Peter Devine is on that
8 committee for the management plan and those plans can
9 be revised. I think they're going to be somewhat
10 inflexible until that's addressed in these management
11 plans in terms of having a step-wise threshold as Pat
12 described. In this flyway management, they're pretty
13 strict as far as following their plan. So that's just
14 something I'm aware of. I think maybe an appeal or a
15 letter to the AMBCC or to your area reps to support
16 revising the plan might be one first step to where you
17 can identify -- you might want to adjust your threshold
18 levels from that.

19

20 The other thing in that whole Emperor
21 Goose Plan is the threshold is approximately half of
22 what the population was once observed at from one
23 survey in like the 1960s. So, I mean, that's one point
24 in time where they made -- that was the basis of it.
25 That might be an opportunity to change some of those
26 management plan goals, but I don't see them doing it
27 until they change that plan.

28

29 Thank you.

30

31 ACTING CHAIR TUTIAKOFF: Okay, thanks.
32 Anymore discussion on it.

33

34 (No comments)

35

36 ACTING CHAIR TUTIAKOFF: Okay. We'll
37 move on to the next agenda item, which is 12(B), rural
38 determination process. We have Steve Fried from OSM.

39

40 MR. FRIED: Good afternoon. My name is
41 Steve Fried from the Office of Subsistence Management.
42 I will provide a briefing on the rural review. As you
43 probably already know, the Alaska National Interest
44 Lands Conservation Act mandates that rural Alaskans are
45 given a priority for subsistence uses of fish and
46 wildlife on Federal public lands and that only
47 residents of communities or areas that are found to be
48 rural are eligible for the subsistence priority under
49 ANILCA.

50

1 The Secretaries of Interior and
2 Agriculture have asked the Federal Subsistence Board to
3 review the rural determination process and recommend
4 any changes that are needed. The Board decided to
5 start their review with public input. So they're kind
6 of looking for a bottom up review if you will. The
7 public comment period ends next November after the fall
8 Regional Advisory Council meetings. So at your fall
9 meetings the rural review will be a good topic on your
10 agenda.

11
12 OSM is anticipating that this Council
13 will provide guidance to the Board and that there will
14 be significant public input during your fall meetings.
15 I think they're still in the planning process as to how
16 to do this, but I think one thing I've heard is to hold
17 a day for public comments like prior to each Council
18 meeting. That hasn't been finalized yet, but that's
19 just one of the reviews. They're really trying hard to
20 figure out what the best way is to reach the public on
21 this.

22
23 So basically we're just trying to alert
24 you to a process that is ongoing and ask that you
25 carefully consider the rural/nonrural issue. As Alaska
26 changes over the coming years, the rural subsistence
27 priority will continue to be an important one.

28
29 The Federal Subsistence Board has asked
30 the public for information about how to specify rural
31 areas in order to provide the subsistence priority. It
32 specifically asked for public input on population
33 thresholds, rural characteristics, how to aggregate
34 communities, timelines and information sources. These
35 comments are going to be used by the Board to assist
36 them in making a decision concerning the scope and the
37 nature of possible changes to improve the process.

38
39 I'll just briefly go through each of
40 these and I'll refer you to the news release in the
41 Council books. It's on Page 30. There's nine general
42 questions that you're being asked to consider. I'd
43 like to emphasize that you have the opportunity to
44 craft the criteria for rural determinations and these
45 nine questions are just the starting point.

46
47 First, the input the Board is looking
48 for is on population thresholds. Currently a
49 population or area of the people below 2,500
50 individuals is considered rural. A community or area

1 of the population between 2,500 and 7,000 will be
2 considered either rural or nonrural based on the
3 characteristics of that community. Communities with
4 populations more than 7,000 will be considered nonrural
5 unless they possess significant characteristics of a
6 rural nature.

7
8 So the Board is asking people to
9 consider are these population threshold guidelines
10 useful for determining whether a specific area of
11 Alaska is rural. If they are not, then they're asking
12 people to provide population sizes that might
13 distinguish between rural and nonrural areas, and the
14 reasons for why it's being suggested more accurately
15 reflects rural and nonrural. I believe those numbers
16 are based on the U.S. Census Bureau definition of
17 rural. At least the 2,500 is.

18
19 Next item would be rural
20 characteristics. The Board recognizes that it's more
21 than just the population size that indicates rural or
22 nonrural status. Other characteristics the Board
23 considers include, but are not limited to, things like
24 the use of fish and wildlife resources, the development
25 and diversity of the economy of the area and the
26 infrastructure the community has and also
27 transportation and educational institutions.

28
29 So, again, the Board is looking for
30 comments on whether these sorts of characteristics are
31 useful for determining whether a specific area of
32 Alaska is rural. If there's not, provide information
33 on maybe some other characteristics that better define
34 or enhance the rural and nonrural status.

35
36 Next would be aggregation of
37 communities. For this, the Board recognizes that
38 communities and areas are connected in diverse ways.
39 Communities that are economically, socially, and
40 communally integrated are considered in the aggregate
41 in determining rural and nonrural status. That's the
42 way it's currently done.

43
44 The aggregation criteria are do 30
45 percent or more of the working people commute from one
46 community to another? Do they share a common high
47 school attendance area? Are the
48 communities in proximity and are they road-accessible
49 to one another? So, again, the Board is looking for
50 input on whether or not these criteria are useful. If

1 not, are there any other criteria that people would
2 suggest that are better.

3
4 Right now, as far as the schedule of
5 doing these rural determinations is based on a 10-year
6 cycle and sometimes it's done out of cycle if there's a
7 special circumstance. So the Board is wondering does
8 that make sense to do it on a 10-year cycle. If so,
9 why. If not, why not. Should they do it every year,
10 every five years. They're looking for input on that.

11
12 Finally, the information sources that
13 are used. Current regulations state that population
14 data from the most recent census conducted by the U.S.
15 Census Bureau, as updated by the Alaska Department of
16 Labor, are used in the rural determination process.
17 The information collected and the reports generated
18 during the 10-year census vary between each census.
19 So, as such, data used during the Board s rural
20 determination can also vary.

21
22 These information sources as stated in
23 regulations will continue to be the foundation of data
24 used for rural determinations since they are in
25 regulation. So the Board is wondering whether or not
26 there's any additional sources you think would be
27 beneficial.

28
29 Finally, in addition to all these other
30 questions, do you have any additional comments on how
31 to make the rural determination process more effective.
32 That's what I had to say about that and I'll try to
33 answer questions.

34
35 Thank you.

36
37 ACTING CHAIR TUTIAKOFF: Do you have
38 any comments or questions. Any questions that we want
39 to add to this determination process. Pat.

40
41 MR. HOLMES: I have a question and then
42 a little bit of a statement. The question I have,
43 Steve, who did you say developed these population
44 thresholds, which agency?

45
46 MR. FRIED: They're based on numbers
47 from the U.S. Census Bureau.

48
49 MR. HOLMES: No, the criteria level,
50 2,500 is considered rural. Who decided that in the

1 first place? Did it come from the Department of Labor?

2

3 MR. FRIED: That's a good question.
4 I'm trying to remember. I'm not sure. I can find out.
5 I don't know if there's anybody here that could help me
6 out on the Staff that knows that answer.

7

8 MR. HOLMES: That's fine. You can call
9 me later or let me know. Then a statement, Mr. Chair,
10 for the Board's knowledge. The last go around Iver and
11 I were co-chairs along with Rebecca Skinner of the
12 Kodiak Rural Subsistence Roundtable and then we did a
13 whole lot of communications with the Southeast RAC and
14 with
15 Sitka because of the similarities of our population and
16 cultural background and many other factors.

17

18 We've started up again a few weeks ago
19 and with the help of Dr. Bumsted from Sitka in the
20 back we've been starting to address these suggestions
21 for criteria and looking for other ones. As we develop
22 those, if the Council would like, we'd be glad to share
23 the findings of our group with this Council. I think
24 we still will have another meeting before this has to
25 be submitted to the Federal Board, don't we?

26

27 MR. FRIED: Yeah. This is not an
28 action item for this meeting. It might be this fall,
29 but right now I think it's just a briefing and some
30 information so the Council starts to really think about
31 this. I'm sure they'll be getting back to the Council
32 before the fall meetings as the process is
33 consolidated.

34

35 MR. HOLMES: Thank you. Anyway, I just
36 wanted to let Mr. Chairman and my colleagues know that
37 our local community is working on it and we're trying
38 to reestablish some linkages. I had a chat with
39 Bertrand Adams and hopefully with Sitka Tribe and folks
40 in Sitka. So we'll try to compile information this
41 spring and summer and share it with our Council.

42

43 Thank you.

44

45 ACTING CHAIR TUTIAKOFF: Thank you. In
46 looking at this letter from USDA, it sounds like it was
47 the Department of Interior and the Department of
48 Agriculture that came up with criteria numbers, at
49 least that's the way I read it. So we'll expect a
50 report from your group through the process.

1 MR. HOLMES: Yes, sir. Then we'll have
2 somebody to make a report at our next meeting if you
3 like. Either I can do it or we'll get one of the other
4 co-chairs to do it and then we'll give you a written
5 document as well.

6
7 ACTING CHAIR TUTIAKOFF: Okay. Thank
8 you.

9
10 Any more questions for Steve.

11
12 MR. KOSO: One question, Steve. I was
13 just wondering is there anybody that's in the process
14 of submitting to become rural
15 or nonrural?

16
17 MR. FRIED: To my understanding, which
18 might be a little limited, I think a lot of this was
19 because there are several communities that are
20 concerned they might become nonrural if they grow too
21 large. Also I'm sure you're aware of what happened
22 with Saxman in Southeast. I think that also triggered
23 a lot of concern on the part of that community and
24 other communities. It's my understanding that that's
25 part of what did this. I'm not sure if this was also
26 part of the Secretarial Review.

27
28 ACTING CHAIR TUTIAKOFF: It looks like
29 it's under schedule under ANILCA every 10 years and
30 we're coming up on that.

31
32 MR. FRIED: That's correct too. That's
33 the reason they're trying to do this. Right now it's
34 every 10 years. They're also asking people does that
35 make sense. I think it's just because it's the 10-year
36 U.S. Census survey, but maybe there's better ways to do
37 it.

38
39 ACTING CHAIR TUTIAKOFF: Yes.

40
41 MR. BERG: Jerry Berg with Fish and
42 Wildlife Service. I guess I would just add to what
43 Steve was saying. Yeah, so it's done every 10 years.
44 It was part of the Secretarial Review. They wanted to
45 make sure the Regional Councils were involved. The
46 proposals for who is rural and nonrural will be the
47 next step. This is just the first step to identify the
48 process, so we want to make sure everybody is
49 comfortable with the process moving forward or at least
50 has an opportunity to be a part of developing the

1 process.

2

3 The next step will be to come out with
4 the rural and nonrural determinations and then
5 everybody will have a chance to review that and be a
6 part of that review. So it's kind of a step-wise
7 process. This is just the first step. So there's been
8 no discussions on who's rural or nonrural for this
9 review yet. It's just going through the process of
10 what process is going to be used.

11

12 Thank you.

13

14 MR. FRIED: Currently the current
15 status remains until the process begins at the 10-year
16 mark and the Board is looking for input to determine
17 whether or not there s a better process or if the
18 current process can be improved before they make new
19 determinations. So that's what this is all about.

20

21 ACTING CHAIR TUTIAKOFF: Okay. Thank
22 you.

23

24 Pete.

25

26 MR. SQUARTSOFF: Just a clarification,
27 Steve, because some people are telling me if Kodiak
28 became urban that I couldn't even give them a salmon
29 from over at Port Lions. What is the clarification on
30 that?

31

32 MR. FRIED: Well, if Kodiak became
33 urban, you'd no longer be a rural resident, so you're
34 no longer covered under ANILCA. You're not a Federally
35 qualified subsistence user, so you don't come under
36 those regulations and then you would just be under
37 State regulations for subsistence use, personal use,
38 those sorts of things.

39

40 MR. SQUARTSOFF: I thought under
41 subsistence you could trade or barter or whatever with
42 your subsistence-caught resource.

43

44 MR. BERG: Yeah, that's correct. A
45 subsistence person can give fish to family members or
46 friends whether they're rural or nonrural. They don't
47 even have to be an Alaskan resident.

48

49 MR. SQUARTSOFF: And also living in
50 like Anchorage an urban area a person can still

1 subsistence fish in State waters, right, anywhere?

2

3 MR. BERG: You might want to ask the
4 State that question, but I mean all Alaska residents
5 are qualified to be subsistence users. I think it's
6 only in Tier II when there's a resource shortage that
7 they go through and make decisions on who's qualified
8 for that.

9

10 ACTING CHAIR TUTIAKOFF: Pat.

11

12 MR. HOLMES: Along Pete's line of
13 questions, what about the case -- let's say that Kodiak
14 city became nonrural and then there was a shortage at
15 the Buskin, which is Federal waters, then would that
16 mean that theoretically if it went into a tiered system
17 then the Feds trump the State and the Feds take over
18 management and then Pete could come fish the Buskin and
19 Iver and I couldn't? Could that scenario develop if
20 Kodiak was nonrural beings it's a Federal stream?

21

22 MR. FRIED: I think that would depend
23 on who had customary and traditional positive
24 determination for that resource. It probably wouldn't
25 be Kodiak, I guess, at that point. Maybe it would be
26 all State Federally qualified subsistence users or some
27 other subset.

28

29 MR. HOLMES: Mr. Chair. Continuing,
30 and I'll try to be very brief, I think the thing that's
31 worrisome is that we have so many folks that live in
32 Kodiak now a good part of the year and then move back
33 out to Chignik or Alaska Peninsula or villages, you
34 know. I think we've lost, what Pete, 75 percent in
35 Karluk and Larson Bay. A lot of those folks living in
36 town. So if you're vested and defined as a town
37 person, then the town folks probably not on salmon, but
38 on hunting on the refuge for the extra month or
39 something like that, then that would make a pretty
40 sticky wicket if you're a Kodiak resident now even
41 though you're from the village. I think that was one
42 of the points that folks were discussing and arguing
43 the last time on Kodiak being rural or not.

44

45 So it's a big picture. As Iver
46 commented at FAA meetings, you know, there's
47 implications for other agencies and other funding and
48 whether those things come to fruition we'll have to
49 wait and see. I've been doing it -- the first time I
50 went out was in '63 with my cousin to the Buskin and I

1 was gone a while, but, you know, it's really important
2 and I can't think of anything more fun than when Iver
3 and I get a chance to go out and go fishing and just
4 fish. Hopefully this will work out.

5
6 I would like to state for the record,
7 Mr. Chair, that I think this is really great that the
8 Federal Board is asking for comments on the process
9 before really getting the process rolling. It gives
10 the community a good chance to provide some input and
11 raise the questions that we raised before on things
12 that folks thought were unfair. So I would -- probably
13 we need to respond to this in one of our letters, Mr.
14 Chair, just saying that it's great to have this process
15 started in this manner where the public is solicited to
16 provide comment.

17
18 ACTING CHAIR TUTIAKOFF: Thank you.
19 Any more -- Sam.

20
21 MR. ROHRER: Thank you, Mr. Chair. I
22 just wanted to make a couple of comments. Certainly
23 the idea of Kodiak Island having a split of
24 determination of some areas of the island rural and
25 some not just is asking for all kinds of problems. I
26 just foresee that as being a real challenging deal,
27 something we certainly need to avoid. Along those
28 lines I remember when we went through this process a
29 bunch of years ago. One of the concepts that was
30 passed around quite a bit was a rural hub. Coming up
31 with some designation for a rural hub community.

32
33 I just wanted to ask Pat. I know you
34 guys have gotten together a few times now to discuss
35 this. Has that concept come back up, the rural hub
36 idea?

37
38 MR. HOLMES: Yeah. At our meeting a
39 week ago we started discussing that. Pam.

40
41 MS. BUMSTED: I would just add
42 that.....

43
44 ACTING CHAIR TUTIAKOFF: Sorry, but
45 we'd like to get it on record. Thank you.

46
47 Are you still there on the phone?

48
49 MS. TRUMBLE: I'm still here. This is
50 Della.

1 CHAIRMAN SIMEONOFF: This is Mitch.
2 I'm still here.
3
4 ACTING CHAIR TUTIAKOFF: Thank you.
5
6 MS. BUMSTED: I'm Pamela Bumsted with
7 Sun'aq Tribe. The discussion has come up before
8 whether you have rural hubs within the census and even
9 USDA. There s been a concept called micropolitan.
10 It's not metropolitan, it's not urban, but it does
11 recognize a little cluster of people. Kodiak is no
12 longer a micropolitan. It's determined by the Office
13 of Management and Budget. So we have fallen below even
14 that kind of a cluster. But it is a concept. It has
15 fairly strong measurement value to it, so you can
16 actually tell whether it would apply or not. It's got
17 a fairly widespread, consistent study background to it.
18 At the moment there are no micropolitans in Alaska.
19
20 ACTING CHAIR TUTIAKOFF: Thank you.
21
22 MR. SQUARTSOFF: That was Pam Bumsted.
23 She works for Sun'aq Tribe.
24
25 ACTING CHAIR TUTIAKOFF: Any more
26 comments in regard to rural determination process.
27 Like it was mentioned, we're just starting this
28 process, so we're going to hear more and probably make
29 a complete presentation we'll make to the Council in
30 the fall meeting. By then we'll have a lot of good
31 information gathered up in regards to Kodiak in
32 particular. There are some out there now that are not
33 even designated that may come back into the group. I'm
34 just guessing.
35
36 MR. SQUARTSOFF: Yeah, I just had one
37 more for Steve. Our main reason here is to protect the
38 resource. This subsistence thing would only go into
39 effect if there was a decline in the resource, right?
40
41 MR. FRIED: Are you talking about the
42 State subsistence?
43
44 MR. SQUARTSOFF: Right. No, no,
45 Federal.
46
47 MR. FRIED: Not quite.
48
49 ACTING CHAIR TUTIAKOFF: I think you've
50 got it mixed. You'd have to be a designated rural for

1 that to take effect. If you're nonrural.....

2

3 MR. SQUARTSOFF: But if the resource
4 became endangered.....

5

6 ACTING CHAIR TUTIAKOFF:then
7 you're under State program.

8

9 MR. FRIED: The Federal program, I
10 mean, there's things you can do. You could close it to
11 all other users except Federally qualified users and
12 then you could start restricting the use by Federally
13 qualified and then close it entirely if it becomes a
14 large problem.

15

16 MR. SQUARTSOFF: That's what I mean.
17 With the big population of all of Kodiak, there's no
18 way the resource would be able to handle it.

19

20 ACTING CHAIR TUTIAKOFF: We have
21 another. State your name, please.

22

23 MR. JACOBSEN: Sure. My name is Jake
24 Jacobsen. I m a resident of Kodiak except during the
25 summer, then I'm a resident of Kotzebue. Mr. Chairman.
26 Members of the RAC committee. I appreciate the
27 opportunity to give my thoughts. Compared with some of
28 you here and the thousands of people who aren't
29 present, I'm a newcomer. After 47 years I feel like a
30 cheechako most every time I walk out in the country,
31 but I'm trying to learn.

32

33 I came here to pursue a subsistence
34 kind of lifestyle. We didn't call it that in those
35 days. We called it living off the land. It was a
36 personal use and I found that it turned out to be
37 better than I could have imagined. Six generations of
38 my family have benefitted from the pursuit, and still
39 do, of subsistence activities.

40

41 I scratched out some notes as I drove
42 down here and I'm having a hard time reading my own
43 writing, so you'll have to bear with me as I pour
44 through this. As I understand it, the first priority
45 for use of fish and game at least is subsistence. The
46 harvest of subsistence is pretty minimal compared to
47 other harvests in this state. Rural areas are still
48 very costly to live in. That hasn't changed since I
49 came here. It's not going to be changing soon.

50

1 A lot of people remained rural because
2 of the subsistence opportunities. Some people became
3 rural because of that. It would have a horrible impact
4 on those folks if this were to change here for Kodiak,
5 for the entire archipelago or even for Kodiak itself.

6
7 It seems to me there's no real valid
8 reason other than arbitrary designation of what's rural
9 and what's not to remove the rural privileges and so
10 forth from Kodiak folks. Notwithstanding government
11 semantics, we're now experiencing high inflation in
12 food, fuel and other things that are important to
13 little people, most of us here, but these aren't taken
14 into figuring when the Feds tell us what the inflation
15 is doing. They say there's very little inflation.
16 It's huge here for all of us who live in rural Alaska
17 and we know it. I think this is not going to change.
18 I think in spite of what the Federal government tells
19 us we're in a depression. I think it's going to get a
20 lot worse this year and it's going to continue bad for
21 a long time. Loss of subsistence privileges here would
22 have a horrible impact on everyone.

23
24 Thank you for the opportunity to make
25 my statement. Good luck with your deliberations.

26
27 ACTING CHAIR TUTIAKOFF: Thank you.
28 Any more comment for Mr. Fried.

29
30 Tom.

31
32 MR. JENNINGS: Thank you, Mr. Chair.
33 Steve was talking about follow up at the fall meetings.
34 Did you want to talk about their suggestion at all?

35
36 MR. FRIED: (Shakes head negatively)

37
38 MR. JENNINGS: I will then. One of the
39 things that was proposed, as Steve mentioned, having
40 like a public hearing the day before the fall meeting.
41 One of the things that was tossed out for you to
42 consider is if it would be beneficial to have the fall
43 meeting in Kodiak because this is principally a Kodiak
44 issue although it is a region wide concern. I mean
45 everybody in the state should be concerned about the
46 rural designations. So that was just something I
47 wanted to put on the table in your ear to consider, but
48 you don't need to take action. Just think about it and
49 consider it maybe tomorrow.

50

1 Thank you.

2

3 ACTING CHAIR TUTIAKOFF: Thank you.
4 That's something to talk about when we re looking at
5 our schedule. Thank you, Steve. The next item on our
6 agenda here is 12 , call for wildlife regulatory
7 proposal and the deadline is March 29th. It's coming
8 up on us here. It's just a review of process for
9 changing proposals to wildlife.

10

11 Are there any?

12

13 MR. JENNINGS: Thank you, Mr. Chair. I
14 just wanted to check with Tom Evans, our wildlife
15 biologist.

16

17 MR. EVANS: Thank you, Mr. Chairman and
18 members of the Advisory Committee. I thought I'd just
19 give a brief rundown of the wildlife proposals. This
20 is a wildlife cycle that we're going through. The
21 Federal Subsistence Board will accept proposals through
22 March 29th, which is this Friday, so it's really short
23 notice for following this meeting to change the Federal
24 regulations for the subsistence harvest of wildlife on
25 Federal public lands for the 2014-2016 regulatory
26 years. We've been informed that no proposals will be
27 accepted after that date. The Board can consider
28 proposals to change Federal hunting and trapping
29 seasons, harvest limits, methods of harvest and
30 customary and traditional use determinations.

31

32 In addition from proposals submitted by
33 the Board, individuals may also submit proposals or
34 organizations as well. Again, the deadline is this
35 Friday, so if there are any wildlife proposals it would
36 be good if the proposals got basically finalized at the
37 meeting here.

38

39 Thank you.

40

41 ACTING CHAIR TUTIAKOFF: Thank you.

42

43 MS. TRUMBLE: Mr. Chair.

44

45 ACTING CHAIR TUTIAKOFF: Yes, Della.

46

47 MS. TRUMBLE: Because I've kind of
48 been really busy, but can somebody refresh my mind on
49 this caribou issue. We don't go through this process
50 for a subsistence hunt, is that correct?

1 MR. JENNINGS: Mr. Chair.

2

3 ACTING CHAIR TUTIAKOFF: Tom.

4

5 MR. JENNINGS: There is a hunt
6 currently approved in the regulations in Unit 9D and
7 that's the one, Della, you helped get the permit
8 process out to the villages, so that's currently under
9 way and open still.

10

11 Thank you.

12

13 MS. TRUMBLE: Yeah, but my question is
14 if you re going into the fall or 2013/2014 does that
15 still apply?

16

17 MR. JENNINGS: This is Tom. To the
18 best of my knowledge those regs are still valid.

19

20 MS. TRUMBLE: Okay. I just wanted to
21 make sure. Thanks.

22

23 ACTING CHAIR TUTIAKOFF: I thought it
24 was a two year deal, but we'll have to look at that on
25 regulations. It seemed like there was a time limit on
26 it based on the counts surveyed.

27

28 MR. JENNINGS: Mr. Chair. I'll read
29 the regs right here. For Unit 9D it's currently one
30 bull caribou by Federal registration permit only.
31 Quotas and any needed closures will be announced by the
32 Izembek Refuge manager after a consultation with ADF&G.
33 That regulation is valid. It will continue unless
34 there's concerns with the population.

35

36 Thank you.

37

38 ACTING CHAIR TUTIAKOFF: Okay. Thanks.

39

40 MR. KOSO: Mr. Chair. I've got a
41 question. That doesn't pertain to the permit hunt that
42 we had, that 9D caribou, or is that different? We had
43 that four caribou per village last year wasn't it, that
44 subsistence hunt? So this is a different deal than the
45 subsistence hunt or the same deal?

46

47 MR. JENNINGS: Rick, that's the hunt
48 that you've been
49 dealing with and so there was a 20 bull limit and it
50 was divided up between five villages and that's the

1 current hunt this season, so it s not going to change.
2 The number of permits that might be issued in the
3 future would be dependent upon the surveys that show
4 what the population is and what it can allow for
5 harvest.

6

7 Thank you.

8

9 MR. KOSO: So I guess Leticia then she
10 could probably talk when she comes up on her Izembek
11 part on that caribou that was harvested.

12

13 Thank you.

14

15 ACTING CHAIR TUTIAKOFF: Thanks.

16

17 CHAIRMAN SIMEONOFF: Mr. Chairman.

18 This is Mitch.

19

20 ACTING CHAIR TUTIAKOFF: Go ahead,

21 Mitch.

22

23 CHAIRMAN SIMEONOFF: Can I get an

24 update on the mountain

25 goat proposal that was submitted. I know there was a

26 goat proposal submitted for two goat and an extension

27 of the season. I apologize again. I've had bad

28 connections all the day. If it was discussed earlier,

29 I probably missed it.

30

31 ACTING CHAIR TUTIAKOFF: Yeah, we

32 talked about it a little bit on the goat hunt. Pat.

33

34 MR. HOLMES: I'm sorry. I was busy

35 writing down some notes on the previous conversation.

36 On the goats? I'm sorry. Do you want to run that by

37 again, Mitch.

38

39 ACTING CHAIR TUTIAKOFF: That was what

40 was the status of the goat proposal they submitted.

41

42 MR. HOLMES: Let's see. I believe they

43 didn't go along -- the State Board did go along with

44 the two goat harvest and with the extended season.

45 They didn't go along with the proposal from the study

46 group and the AC on removing the goat from the field

47 and I don't think they went along with the goat wounded

48 as a dead goat. I believe that's what Paul Chervenak

49 reported earlier this morning. Is that right?

50

1 ACTING CHAIR TUTIAKOFF: Uh-huh.
2
3 MR. HOLMES: So for the members of our
4 committee here sometimes on critters here in Kodiak we
5 try to figure out where the problem can be addressed
6 the best, whether on the State side or the Federal
7 side, so we've been doing mountain goats for several
8 years through the State process and part of that
9 extending the hunt period in March was to provide
10 additional benefit for folks in the villages and the
11 increase to two goats will also be a big boost for
12 folks in Akhiok and Old Harbor.
13
14 MR. KOSO: Vince, just to add to that,
15 if I'm not mistaken, I think on the two goats that they
16 proposed to take they were only allowed one in
17 possession at a time, so make sure that's straight.
18
19 MR. HOLMES: Stand corrected.
20
21 MR. SCHWANTES: No.
22
23 MR. KOSO: I thought when they went up
24 hunting they could only have one goat in possession to
25 bring it out. That's the way I understood his.....
26
27 MR. ROHRER: That was the original
28 proposal, but that was not passed.
29
30 MR. KOSO: Okay. I'm mixed up here
31 then. I just wanted to clarify. Thanks.
32
33 ACTING CHAIR TUTIAKOFF: I don't know
34 if they cleared that up for you there, Mitch.
35
36 MR. SQUARTSOFF: So he's got to pack
37 out two at a time.
38
39 CHAIRMAN SIMEONOFF: That helps out
40 quite a bit. Thank you.
41
42 ACTING CHAIR TUTIAKOFF: Okay. Where
43 were we. Get back to my agenda here. We're on review
44 and comment on tribal consultation guidelines. Jack
45 Lorrigan, OSM. Page 48 on your book here. Welcome,
46 Jack.
47
48 MR. LORRIGAN: Good afternoon, Mr.
49 Chairman. For the record, my name is Jack Lorrigan,
50 the Native liaison for OSM. I'm actually starting on

1 Page 36, which has to do with Page 48.

2

3 Thank you, Mr. Chairman. I'm giving
4 you the brief on the development of our tribal
5 consultation policy for the Federal Subsistence Board.

6

7 I'll read part of this. In January
8 2011 the Secretary of Interior directed the Federal
9 Subsistence Board to consult with federally recognized
10 Tribes in Alaska on actions that have a significant
11 direct impact on tribal interests. As a result, the
12 Board commenced the development of a Tribal
13 Consultation Policy. They formed a work group with
14 seven tribal and seven Federal members. Ms. Trumble
15 was on that work group as a co-chair with Crystal
16 Leonetti from Fish and Wildlife Service. They then
17 added eight more members after the directive to include
18 ANCSA corporations in this policy also. So eight
19 members, including myself once I was hired on with OSM
20 in August, were added.

21

22 Over the period of 18 months from that
23 point the Board and work group conducted 16
24 consultation meetings with over 200 tribes and more
25 than 15 ANCSA corporations. The work group met in
26 person twice for two to three days each time and once
27 by teleconference, and met twice with the Interagency
28 Staff Committee to discuss the consultation guidelines.
29 Five letters were sent to all tribes and ANCSA
30 corporations from the Federal Subsistence Board
31 Chairman, Tim Towarak, inviting comments on the policy.
32 Nineteen written comments were received from tribes and
33 ANCSA corporations during policy development.

34

35 The Federal Board adopted the Tribal
36 Consultation Policy on May 9, 2012. They then directed
37 the workgroup to commence writing implementation
38 guidelines and an ANCSA corporation consultation
39 policy for their consideration in the future. The
40 workgroup is currently in development of those two
41 documents.

42

43 From May 2011 through August of 2012
44 the committee got together and hammered out the policy.
45 In August, they saw input from the field managers on
46 how they're interacting with the tribes already,
47 actions that they take. This included people from the
48 Refuges and the Monuments and the Forest Service
49 district rangers that have tribes in their territories
50 we had a teleconference with all them and discussed how

1 they proceed with consultation with the tribes in their
2 areas when there's an action that would affect them.
3 We attempted to put that in writing so it would be part
4 of the guidelines for anybody who came after us as
5 Staff. When we move on, whoever comes and takes our
6 place will be able to take the guidelines and run with
7 it.

8
9 In January 2013 the Federal Board
10 adopted the guidelines. With some minor edits they
11 were then emailed and mailed to the tribes on February
12 11th and they are the guidelines you have in your
13 packet today. They start on Page 48.

14
15 These guidelines attempt to mimic the
16 regulatory cycle or not mimic but follow a regulatory
17 cycle in the process. So at each step of the
18 development of a proposal or analysis there's an
19 interaction between the Federal managers in OSM with
20 the tribes. The one thing we would like to point out
21 in the guidelines is that there are time certain
22 consultation opportunities for the tribes via
23 teleconferences. We had our first one in September of
24 2012 where we invited the tribes to call in on a
25 teleconference to discuss proposals that affected them
26 in their areas. For instance, Ninilchik called in
27 about their fishwheel, the Sitka Tribe called in about
28 their Makhmati proposal about the herring and there
29 were some other tribes from the Yukon that were talking
30 about customary trade. So that was an example of how
31 we want these consultations to work.

32
33 We'd like your feedback. We're looking
34 for feedback on these by the 29th of March also. So
35 time is getting short and this is the last Council to
36 meet on this issue.

37
38 Also I'd like to point out that there's
39 a training clause in this encouraging OSM Staff and the
40 Board and Federal managers to take every opportunity to
41 observe and participate in subsistence activities in
42 the field. We're still trying to figure out how that
43 will work and what that will mean. The basic idea is
44 we'd have Board members and their Staff go to a fish
45 camp or go to a hunting camp or some gathering activity
46 and observe how the regulations that they're acting on
47 affect people in the field. So that's one of the goals.

48
49 With your indulgence, Mr. Chairman, I'd
50 like to include in my briefing agenda Item 13(A)(7) and

1 that starts on Page 108. That would just combine the
2 later briefing on the consultations that actually took
3 place in 2012. For the record, I'll read it into the
4 record. It's on Page 109. The meat of this discussion
5 is the middle paragraph.

6
7 Consultations have been ongoing with
8 Alaska Native tribes and corporations during the fiscal
9 year of 2012. Several consultations occurred beginning
10 in December of 2011 at the Providers Conference and on
11 Anchorage on the guidelines for consultations and on
12 issues of subsistence and regulatory proposals. Also
13 during the Board and Southeast Regional Advisory
14 Council combined spring meeting in Juneau on the Angoon
15 Extra-Territorial Jurisdiction petition in March and
16 again in May 2012 to consider the draft guidelines and
17 comments that we're discussing now.

18
19 Also there was a two day consultation
20 conference call with all the tribes and ANCSA
21 corporations affected by the 2013-2015 proposed
22 fisheries regulations in September 2012. The Regional
23 Advisory Councils were briefed on the Consultation
24 Policy progress at their fall 2012 meetings. These
25 consultations have been entered into the Department of
26 the Interior's data share-point website to satisfy
27 accountability requirements from the Secretaries of
28 Interior and Agriculture.

29
30 That's all I can think of right now,
31 Mr. Chairman.

32
33 ACTING CHAIR TUTIAKOFF: Okay. Thank
34 you. Any comments from the Council on tribal
35 consultation.

36
37 Pat.

38
39 MR. HOLMES: Mr. Chairman, Jack. I
40 think this is a very commendable process to get more
41 advice and more interaction between rural folks and
42 everyone. I had one acquaintance that was quite
43 disturbed by this and I said, hey, the more advocates
44 we have for subsistence the better and I think this is
45 wonderful. I really congratulate you folks for coming
46 up with a cultural training concept because I think
47 that some of the difficulties our Council has had with
48 different managers in the past could have not happened
49 if they had a little bit of background when they took
50 over their job of managing an area and spent their

1 first month out in the field visiting all the villages,
2 getting to know folks.

3

4 I know when I was with the Department
5 years ago, for instance, I had a research project down
6 in Alitak and I went down there several days early so I
7 could go talk to Larry Matfay, the elder, to just ask
8 him what I should know. It used to be the policy, I
9 don't know what it is now in the Department, but start
10 a new project, you'd go out and talk to folks.

11

12 I can remember a fellow, John
13 Hilsinger, that was the director of Comm. Fish and I
14 think he ended up losing his first wife because he
15 spent so much time on the Yukon and the Kuskokwim and
16 not in Juneau. He said I'm an administrator, he'd tell
17 his assistant to do the admin work and he'd go out and
18 talk to folks. I think this is so important for people
19 that are refuge managers and anybody involved in
20 subsistence to go out and participate in those
21 activities and get to know folks. That's the only
22 rational way. So my hat is off to you.

23

24 ACTING CHAIR TUTIAKOFF: Okay. Thank
25 you. Anymore comments. Tom. Is there anyone on the
26 phone?

27

28 MR. JENNINGS: Is there anyone on the
29 phone, any comments?

30

31 MS. TRUMBLE: Vince, this is Della.
32 Mr. Chair. I just wanted to comment that I think up
33 until maybe January or February the tribal co-chair, we
34 voted Rosemary because I've been too busy with other
35 things, but I have participated in all of the
36 conference calls. It has been a long process.
37 Initially when we got on here the idea was that it
38 would probably be about a year, but in May it will be
39 two years. I think the outcome is what you see in
40 front of you.

41

42 I also just want to say from a tribal
43 standpoint that I think the whole concept of this is
44 great. The idea behind it. The government to
45 government consultation. But I'm also -- I have to be
46 honest. I have to say that it concerns me that -- I'm
47 hoping it's not a mechanism basically to check off
48 boxes. I want to make sure I follow this as I continue
49 to participate and kind of watch it as we go forward.

50

1 ACTING CHAIR TUTIAKOFF: Thank you,
2 Della.

3
4 Anymore comments.

5
6 Pat.

7
8 MR. HOLMES: Mr. Chair. I was just
9 thinking back a few -- well, actually several meetings
10 ago and a comment, I've been working with the Native
11 Village of Afognak, and something that Melissa Borton
12 said and our whole council at the time supported. It
13 would be good for the different entities involved in
14 this on the government side to make sure that they have
15 somebody designated to do the follow through because I
16 think here in Kodiak what's been so successful and what
17 Melissa commented on as a CEO of that tribe, she
18 basically could spend half a day or more sorting
19 through consultation. She just gets pounds of mail.
20 But when Tonya Lee from the Refuge calls them, she's a
21 girl of the Manson family, I think, here, a long time
22 Kodiak, and when she calls and talks to Melissa or
23 Sun'aq, they know that's a really important item to
24 follow up on.

25
26 So if the other Refuges and other
27 government entities were like the Kodiak Refuge where
28 they had a really competent gal that can let them know,
29 gee, this is important, then they'll pull that out of
30 the pile and work on it. Otherwise things -- like
31 Della said, I get boxes that get checked off and
32 sometimes folks have a hard time getting to that bit of
33 information. Just kind of a thought from a previous
34 meeting.

35
36 Thank you, Mr. Chair.

37
38 MR. LORRIGAN: Mr. Chairman. We
39 realize that we're just one entity of the government
40 that the tribes have to deal with. They have different
41 organizations of the same government that they have to
42 interface with, so we're trying to make it work as best
43 we can. It's a new policy, new guidelines, so there's
44 going to be some bumps along the way, I believe.

45
46 ACTING CHAIR TUTIAKOFF: Thank you.
47 Anymore comments from Council.

48
49 CHAIRMAN SIMEONOFF: Mr. Chairman.
50 This is Mitch.

1 ACTING CHAIR TUTIAKOFF: Go ahead,
2 Mitch.

3
4 CHAIRMAN SIMEONOFF: I just wanted to
5 refer to the comment I made this morning that when I
6 brought that crab proposal to the tribal government
7 here in Akhiok they were totally unaware of it. I know
8 it's in the draft consultation policy, but I was just
9 wondering is that something that should already be
10 happening? Shouldn't the proposals be sent to tribal
11 governments if they're looking for comments before
12 final action is taken on any proposals?

13
14 MR. LORRIGAN: Through the Chair. Mr.
15 Simeonoff. As I just stated before, there's a chance
16 for the tribes to weigh in on the proposals before they
17 go to the Board. The teleconference after the ISC and
18 the analysts get done analyzing the proposal. That
19 information goes back to the tribe that might be
20 affected or the tribes and then they have a chance to
21 further comment on the proposal and that, in fact,
22 happened in September. Ninilchik was able to work with
23 the analysts on the fishwheel proposal and make sure it
24 read the way they wanted it to read. So, yes, that is
25 part of this process.

26
27 ACTING CHAIR TUTIAKOFF: Okay, thank
28 you. Some more. Do you have more to add?

29
30 MR. LORRIGAN: No for myself, no.

31
32 ACTING CHAIR TUTIAKOFF: Okay. All
33 right. Well, thank you. I guess we'll look at this
34 again. Thank you very much, Jack.

35
36 MR. LORRIGAN: Thank you.

37
38 ACTING CHAIR TUTIAKOFF: Okay. We're
39 going to 12(E), the C&T letters from Southeast RAC, the
40 customary and traditional use determinations.

41
42 Steve.

43
44 MR. HOLMES: Mr. Chair. I promised
45 Bertrand Adams, he's the fellow that did that proposal,
46 that I would give him a call when we were going to take
47 it up. He was having a Tlingit language class. If I
48 could have just a minute to call him so he could get on
49 our teleconference.

50

1 ACTING CHAIR TUTIAKOFF: Okay. We'll
2 take a minute or so.

3
4 (Pause)

5
6 ACTING CHAIR TUTIAKOFF: Okay. He'll
7 call in. Go ahead and bring us up to speed on this
8 issue.

9
10 MR. FRIED: My name is Steve Fried from
11 the Office of Subsistence Management. I have a short
12 briefing on a letter from the Southeast Regional
13 Advisory Council that was sent out to other Councils.
14 It's concerning the customary and traditional
15 determination process. The letter begins on Page 54 of
16 your Council books.

17
18 Essentially this stems from the October
19 2009 Secretary of Interior review of Federal
20 subsistence program to ensure that the program was best
21 serving rural Alaskans and that the letter and spirit
22 of Title VIII in ANILCA was being met. He directed the
23 Federal Subsistence Board to do several tasks and two
24 of these were relevant to this letter and you can see
25 them on Page 55 towards the top. The first was to
26 review with RAC input Federal subsistence procedural
27 and structural regulations adopted from the state in
28 order to ensure federal authorities are fully
29 reflected and comply with Title VIII and any changes
30 would require new regulations.

31
32 When the Federal program started, they
33 adopted State regulations for the most part and the
34 Secretary wants to make sure that that's still reflects
35 and complies with Title VIII. They have been changing
36 regulations as the years went on, but this was part of
37 the review.

38
39 The second relevant task was to review
40 customary and traditional determination process to
41 provide clear, fair, and effective determinations in
42 accord with Title VIII goals and provisions and, again,
43 any changes would require new Federal regulations.

44
45 When they went through this and
46 discussed it with the Councils and got input, in March
47 2012 in a meeting with Juneau, there was an update on
48 the Secretarial Review and it stated that 9 of the 10
49 Councils felt that the customary and traditional use
50 determination process was adequate, but the Southeast

1 Council had comments for changes to the process. So
2 the Southeast Council formed a working group of its
3 own. They reviewed the materials, they provided a
4 report to their full Council in March 2012 and they
5 developed a recommendation for consideration by the
6 Southeast Council at that meeting.

7
8 Essentially, at the beginning of the
9 letter, it indicates that the Southeast Council does
10 not agree that the current method of restricting access
11 to fish and wildlife resources through a customary and
12 traditional use determination process was intended in
13 ANILCA and although they recognize there are a number
14 of possible solutions to this, the Council's preferred
15 solution was to eliminate the customary and traditional
16 use determination regulations, and they cite those on
17 the top of Page 54, and allocate resources as directed
18 in Section .804 of ANILCA.

19
20 So .804 of ANILCA, if you go to Page
21 56, when necessary, the Federal Subsistence Board can
22 restrict who can harvest a resource by applying ANILCA
23 Section .804 criteria and there's three bullets:
24 Customary and direct dependence upon the populations as
25 the mainstay of livelihood, local residency, and the
26 availability of alternative resources.

27
28 So the Southeast Council is saying that
29 ANILCA Section .804 is a process and it can be used as
30 a management tool that allows seasons on Federal public
31 lands and waters to remain open to all rural residents
32 until there is a need to reduce the pool of eligible
33 harvesters. Replacing the Federal customary and
34 traditional use determination eight factors with ANILCA
35 Section
36 .804's three criteria may be a preferred method of
37 restricting who can harvest a resource.

38
39 This letter that went to the Councils
40 is actually seeking input from all the other Councils
41 as to whether or not they agree with the Southeast
42 suggestion that .804 be used instead of the way things
43 are done now with the C&T determination and the eight
44 factors. They're asking Councils to contact them and
45 Bert on the line is the Chair of the Southeast Council.
46 If the Councils desire, if there's a lot of support,
47 then the Southeast Council would like to go forward
48 with a proposal for amending or eliminating current
49 regulations could be developed for consideration by all
50 the Councils.

1 That essentially is what the letter is
2 asking. Basically what would happen is that the
3 Southeast Council is asking the other Councils to
4 engage in a thorough review of the C&T process at their
5 fall 2013 meetings and they wanted us to give a
6 briefing on this. I'm sure Bert would have some other
7 comments and can answer questions better than I could.

8

9 MR. ADAMS: Hello, can you hear me?

10

11 ACTING CHAIR TUTIAKOFF: Yes, Bert, we
12 can hear you.

13

14 MR. JENNINGS: Yes.

15

16 MR. ADAMS: Okay. Thank you. It looks
17 like the gentleman ahead of me is doing a pretty good
18 job of overviewing our position here. The Southeast
19 Council does not agree with the process that is being
20 implemented by the Board at this time or OSM. We saw a
21 lot of flaws in it. I'm not going to go through them
22 all, but we wanted to be able to make some changes to
23 eliminate the process, mainly the five factors that the
24 State uses to determine customary. We think, the
25 Council thinks that Section .804 of ANILCA is, of
26 course, the law of the land. Section .804 opens
27 customary and traditional use to everyone statewide.

28

29 What happened during this process --
30 and I really need to recognize the working group that
31 worked on this for several weeks. They did a fantastic
32 job. There's (phone drop out) included in that letter
33 that went to all the Councils. So what they came up
34 with is some problems that our Council is having with
35 the way customary and traditional use is being
36 implemented.

37

38 One of the things that they were
39 unhappy about and I think the letter states that is the
40 inconsistencies that were from the Councils. A letter
41 said that 9 out of 10 Councils didn't think that there
42 was any problem with C&T at this time, so they were
43 pretty much content with it. However, with our working
44 group, they were able to pinpoint some of the problems,
45 particularly the eight factor issue. It's really
46 cumbersome. I know we've done a couple or three C&Ts
47 from our Council before and I found it very complicated
48 to try to live by all of those factors.

49

50 We believe we need to do away with the

1 C&T as we know it, which comes from the State, and then
2 -- I'll go ahead and read you a paragraph here that I
3 think would be more understood by you. It's in the
4 letter, Page 20. If you have that letter before you,
5 there's a paragraph in there that talks about ANILCA.
6 This is the recommendation that we made to the Board
7 using that paragraph.

8

9 Given that ANILCA does not require the
10 Board make customary and traditional use
11 determinations, the Council recommends the Federal
12 Subsistence Board eliminate the current regulation for
13 customary and traditional use determinations, and task
14 the Office of Subsistence Management with drafting
15 regulations which adhere to provisions contained within
16 Section .804 of ANILCA. Section .804 of ANILCA is, of
17 course, the law of the land so we should use that as a
18 guiding factor for determining customary and
19 traditional use.

20

21 Let me read to you another sentence
22 here. It says the Southeast Council has a history of
23 generally recommending a broad geographic scale when
24 reviewing proposals for customary and traditional use
25 determination. Subsistence users primarily harvest
26 resources near their community of residence and there
27 is normally no management reason to restrict use by
28 rural residents from distant communities. If there is
29 a shortage of resources, Section .804 of ANILCA
30 provides direction in the correct method of allocating
31 resources.

32

33 I guess that's about all I'd like to
34 share with you at this point. If you have any
35 questions, I will do my best to try to answer them.
36 What we're doing -- you know, in conclusion, is asking
37 all of the Councils throughout the state to look at the
38 customary and traditional use determination and if it's
39 working for you, fine, we need to know that, but if you
40 have issues with it as well, we need to know that so we
41 can start putting together a proposal that would fit
42 the provisions that are found in Section .804.

43

44 ACTING CHAIR TUTIAKOFF: Okay. Thank
45 you, Bert. Appreciate the information.

46

47 Any questions from the Council for Mr.
48 Adams.

49

50 (No comments)

1 ACTING CHAIR TUTIAKOFF: Okay. Well,
2 thank you, Bert. We're going to do some more review
3 here. Do any Council members have any questions about
4 what the issue was and what they're asking us to do?

5
6 MR. KOSO: I have a question.

7
8 ACTING CHAIR TUTIAKOFF: Rick.

9
10 MR. KOSO: I guess I'm a little bit
11 confused. You said this was already voted on and you
12 guys were the only one that voted against this supposed
13 proposal or changes. The rest of the RACs in Alaska
14 voted for it. Is that what I hear?

15
16 MR. ADAMS: I don't think the rest of
17 the RACs voted in favor of it. I don't think they
18 voted. They didn't see any problem with it as far as I
19 was able to gather. That C&T was working in the area.

20
21
22 As I said at the beginning, our
23 Regional Council saw some inconsistencies in
24 administering the five factors and other parts of C&T,
25 so we just wanted to bring that to your attention
26 because I think what our RAC is going to do is they're
27 going to submit a proposal and ask we eliminate this
28 regulation and develop our own.

29
30 ACTING CHAIR TUTIAKOFF: Sam.

31
32 MR. ADAMS: Did that answer your
33 question.

34
35 ACTING CHAIR TUTIAKOFF: Yeah, thank
36 you, Bert.

37
38 MR. ROHRER: Through the Chair. Sam
39 Rohrer here, Bert. I have a question for you. I
40 understand how our current system works with getting a
41 C&T determination, but I'm a little unclear on what you
42 guys are proposing. I've been reading through what you
43 wrote here, but a little unclear as to how it would
44 work. So if you could maybe give me an example using -
45 - just give me an example of how this would work, how
46 you're envisioning your regulation changes working.

47
48 Thanks.

49
50 MR. ADAMS: Okay. Thank you for that.

1 One of the things I (drop out) Federal Subsistence
2 Board (drop out) questions. This one is kind of a
3 challenging one. We think it would be more (drop out)
4 if we took language in Section .804 of ANILCA and used
5 that as a guideline to determine C&T issues for (drop
6 out). It would eliminate the way the State (drop out)
7 C&T under State regulations.

8
9 When ANILCA was passed, if I just might
10 add just a side to it, the State, as we all know, was
11 going to manage subsistence resources in Alaska and, as
12 we all know, the State went out of compliance with
13 ANILCA, so now we have to deal with these dual
14 management. You know, the State has their regulations,
15 we have ours and I know in our Council we have a hard
16 time trying to develop regulations that aren't
17 confusing to the subsistence users. The eight factors
18 I think really does confuse a lot of people and we
19 think that .804 of ANILCA will really help us to
20 determine (drop out) -- a lot of questions that (drop
21 out).

22
23 I don't know that that answers, Mr.
24 Chair. I found myself rambling on here and I apologize
25 for that.

26
27 MR. ROHRER: Thank you for that.

28
29 MR. ADAMS: Section .804 of ANILCA is
30 the guiding light that we would use.

31
32 ACTING CHAIR TUTIAKOFF: Okay. Pat.

33
34 MR. HOLMES: Excuse me, Mr. Chairman.
35 My hearing aid went on strike here. I want to
36 appreciate you for bringing this to our attention,
37 Bertrand. I agree, after reading through all this
38 material last night, that the amount of information you
39 gave us certainly is a big improvement over what we had
40 to digest the last time it came before the Council. So
41 what are you asking us to do? To put this on our
42 agenda for next fall's meeting and then kind of read
43 over this material between now and then?

44
45 MR. ADAMS: To be able to have all the
46 Councils put it on their agenda for the fall meeting
47 and then start responding to our request contained in
48 the letter.

49
50 MR. HOLMES: Thank you.

1 MR. ADAMS: I guess the gentleman who
2 asked me the question before, how would I use as an
3 example improving State laws, the situation here,
4 Section .804 would provide direction in case there's
5 any kinds of shortage of resources. They would be able
6 to use the guidelines in Section .804 to address, like
7 for instance, shortages and so forth and how to
8 allocate the resources with whatever tools they might
9 have to address that issue.

10

11 It's all in Section .804.

12

13 ACTING CHAIR TUTIAKOFF: Okay. Thank
14 you. I think there's a lot of material here and I
15 think a lot of us are just getting it for the first
16 time today and I'd like to refer this to the
17 coordinator and the rest of the Council to give us time
18 to review this. It's a relationship of .803 to .804.
19 The .803 is a CT, as I understand it, designation
20 versus an .804 which is directly
21 out of ANILCA, which describes it as -- requires a
22 taking for non-wasteful subsistence use be given
23 priority versus all subsistence users. So it's just a
24 little different way of looking at priority under
25 ANILCA.

26

27 What Southeast Council is saying is
28 that the C&T is just another hurdle that we have to
29 jump over to get a rightful right as users of
30 subsistence. We already have it. ANILCA has given it
31 to us. We've recognized it for years. It's just a
32 process here of how to get to it is what they're
33 saying.

34

35 MR. ADAMS: Exactly.

36

37 ACTING CHAIR TUTIAKOFF: And I kind of
38 understand it that way as being an .803 issue versus an
39 .804 issue. Once you understand what Section .804
40 says, then you can kind of separate those two as to the
41 process.

42

43 So I think we need some time to maybe
44 get it on our next agenda. Pat, you've been pretty
45 aware of it for a while or been reading this pretty
46 intently. Hopefully we'll have a good report for next
47 meeting. Thank you, Bert, for coming on board and
48 giving us a little bit of your insight.

49

50 MR. ADAMS: No problem. This is my

1 pleasure. Again, you have plenty of time to muscle
2 over it. All we're asking, you know, is have it on
3 your agenda for the next time you meet. Discuss it
4 between now and then. If you have any questions,
5 please feel free to call or contact our coordinator,
6 Robert Larson. You can probably get his address and
7 telephone number or email address from the website
8 there.

9

10 You're welcome to give me a call as
11 well, okay.

12

13 ACTING CHAIR TUTIAKOFF: Okay. Thank
14 you.

15

16 MR. ADAMS: All right. Well, I'm going
17 to go out and get some eulachons right now, so you guys
18 have fun.

19

20 ACTING CHAIR TUTIAKOFF: Okay. Good
21 luck.

22

23 MR. HOLMES: When you smoke some, send
24 them to us.

25

26 MR. ADAMS: I will. Bye.

27

28 ACTING CHAIR TUTIAKOFF: All right.
29 Thank you. I don't think the Council is ready to make
30 a decision one way or another without more review and
31 be prepared at the next meeting to either keep it as it
32 is under .803 is kind of like what we're following now
33 versus .804 determination process.

34

35 All right. Do you want to take a
36 couple minutes break, five, ten minute break, and then
37 we'll come back and get onto reports. We're on break
38 at 3:12.

39

40 (Off record)

41

42 (On record)

43

44 ACTING CHAIR TUTIAKOFF: We'll call the
45 meeting back to order at 3:23. First item here we have
46 -- it will be a little change in our agenda. We're
47 going to have a public comment period and then we're
48 going to go to U.S. Fish and Wildlife Service, the
49 Izembek National Wildlife Preserve report and then
50 we'll go to agency reports. We'll ask Joe Masinko to

1 come forward. He'll give us a public comment. State
2 your name.

3

4 MR. MASINKO: Mr. Chairman. Council
5 members. My name is Joe Masinko. I'm a 30-some-year
6 resident of Kodiak. My family subsistence fishes and
7 such. I'd urge you to retain Kodiak's rural status.
8 Using population as the determining factor doesn't
9 work for Kodiak. We're sort of dominated by a large
10 Coast Guard base, possibly the largest in the country.
11 We share schools, streets and a hospital with them, but
12 we live in different worlds. They have on-base
13 housing, housing stipends for off base. They shop at a
14 PX with reduced grocery prices. They buy fuel on base
15 at a reduced price. If you look at population alone, I
16 could see how you would say Kodiak isn't rural, but for
17 those of us who aren't in the Coast Guard subsistence
18 is a very important part of our life.

19

20 The other issue, I was listening to the
21 crab discussion and having a marine protected area or a
22 protected nursery grounds doesn't exempt you from
23 protecting the resource. I think you get focused on
24 that. We heard Fish and Game say they caught zero king
25 crab in Chiniak Bay. We also heard the crab migrate
26 out of the nursery area. Maybe we need more derelict
27 crab pots out in Chiniak Bay so we can have some crab
28 there. That's where I used to subsistence fish. Do
29 not focus solely on Womens Bay. We need to protect the
30 crab resource out in the traditional areas where we
31 crab fish.

32

33 It's pretty easy to figure out what's
34 going on. There's a couple activities that don't
35 happen in Womens Bay that happen out in these other
36 areas. If we continue to ignore them, you're just
37 going to be throwing these crab out to be killed off.

38

39 Thanks.

40

41 ACTING CHAIR TUTIAKOFF: Thank you.
42 Any comments, questions.

43

44 (No comments)

45

46 ACTING CHAIR TUTIAKOFF: No. All
47 right. Thank you. Now we'll move on to 13(B)(2)
48 Izembek National Wildlife Refuge report. Hello,
49 Izembek, do you hear us now?

50

1 MS. MELENDEZ: Thank you very much, Mr.
2 Chairman and members of the Council. I'd like to
3 reintroduce the staff if I may. I have Shawn Bayless
4 from Region 6 who is the acting Refuge manager and has
5 been just a little bit short of a month. Stacy Lowe,
6 our new biologist, is on the call as well and she will
7 be informing you of the logistics and the details of
8 the RAC report. Myself, Leticia Melendez, deputy
9 Refuge manager.

10

11 I'd like to start off by talking about
12 the Federal subsistence hunt and, thereafter, if you
13 have any questions, I'd be more than happy to answer
14 them and then Stacy will follow with the RAC report.

15

16 This year's 2012-2013 subsistence
17 caribou hunt in Unit 9D was determined in conjunction
18 with the Fish and Game as well as the Fish and Wildlife
19 Service. It's the first subsistence hunt in many
20 years. The way the matrix was done if you will between
21 the biologist and the Refuge manager here at the time,
22 Nancy Hoffman, it was determined that 25 caribou from
23 the State would be taken for the subsistence hunt, but
24 after reflection and a matrix we decided that in order
25 to make it a successful and fair hunt we wanted to
26 distribute these permits in different villages, which
27 include Sand Point, Nelson Lagoon, Cold Bay, King Cove
28 and False Pass.

29

30 With that decision we decided to go
31 with the four permits. We were going to go with 18
32 because we did at one time have six villages. One of
33 them dropped off, which made it four per village, so
34 that gave us the opportunity to split it between the
35 different communities totaling 20 permits. The
36 subsistence hunt allowed for one bull to be taken. We
37 also gave the different communities or villages I
38 should say the opportunity to pick a proxy hunter.

39

40 To give you the numbers that reflect
41 the 2012-2013 Federal subsistence hunt, they are as
42 follows: Four permits to Cold Bay with four caribou
43 harvest. Four permits to King Cove with two caribou
44 harvested under our proxy Mr. Gould. Four permits to
45 False Pass with one caribou reported harvested. Two
46 permits to Nelson Lagoon with one caribou reported for
47 harvest.

48

49 Unfortunately we were unable to submit
50 any permits to Sand Point. I'm not quite sure why we

1 didn't get any permits out there. I know that upon
2 having the subsistence hunt, one of each village to
3 pick a way in which they were going to distribute the
4 permits. A lot of the villages preferred a lottery or
5 they picked people who have real good hunting skills to
6 have these permits. Upon getting those winners we were
7 also asked to have their license number and date of
8 birth so that we could submit the permits and after
9 several attempts for these selected permits I was
10 unable to get those license numbers and date of birth,
11 hence having zero permits to Sand Point.

12

13 With that said, that is the conclusion
14 of the report for the 2012-2013 subsistence Federal
15 caribou hunt. If there's any questions, I'd be more
16 than happy to take any.

17

18 MS. TRUMBLE: Leticia, this is Della.
19 Mr. Chair. I guess my question in regard to Sand
20 Point, was there any effort made to talk to the tribal
21 councils to try to get in contact with these people?
22 I'm a little confused as to what happened there because
23 I do know that a couple of the people that their names
24 got drawn were pretty excited about it. What efforts
25 were made towards trying to get those permits to or the
26 documentation from the people in Sand Point?

27

28 MS. MELENDEZ: Well, yeah, Della, thank
29 you for that question. I did call Gus Carlson and he
30 was out of town for 19 days and I tried several times
31 and I understand that fishing is also a big subsistence
32 time and there was a lot of folks out for that reason.
33 But I did call and try to get a hold of Gus several
34 times and left messages. Charlie Jackson, I also tried
35 getting in touch with him. Harry and Nick the same
36 thing. I think they were both out fishing. I was
37 hoping that during their fishing season that once it
38 was over and done with, since this was a split hunt,
39 that I would start getting interest in generating
40 permits for that, at least the second portion of the
41 hunt.

42

43 The hunt was divided into two periods,
44 August 10th through September 20th, 2012. November
45 15th, 2012 through March 31st, 2013. Being that this
46 was the first time we've had this subsistence hunt, I
47 understand through people talking and more about how
48 the Natives like to hunt, I understood that the second
49 portion of the hunt would have been a more valuable
50 hunting period. So I was hoping at that time that I

1 would get some interest, but even then after making
2 several calls I had no success.

3

4 MS. TRUMBLE: In the future, I would
5 recommend that you contact the tribal council or have
6 somebody from the staff because they know when the
7 people are in and out. I know one of them actually
8 helped participate with this drawing and I think it was
9 QTT. I almost feel like there needs to be a better
10 process.

11

12 MS. MELENDEZ: You're absolutely right,
13 Della, and I appreciate that. This was our first year
14 executing the subsistence hunt and there were a lot of
15 rough edges and we learned a lot during the process and
16 I appreciate that idea. I certainly will write that
17 down and make sure we do something like that so this
18 doesn't happen again. Like I said, I did make efforts
19 to get a hold of them, but I like your suggestion.

20

21 Thank you.

22

23 MS. TRUMBLE: In the past, when we did
24 the subsistence hunt, they were coordinated through the
25 tribal office.

26

27 MS. MELENDEZ: As a matter of fact, a
28 lot of the -- all the successful hunters were sent to
29 me. I had a lot of the tribal council members and I
30 did get a hold of some of the folks. I think Tiffany
31 Jackson is the executive director.

32

33 MS. TRUMBLE: Yes. In fact, her
34 husband Charlie was one of the recipients of one of
35 those permits.

36

37 MS. MELENDEZ: Yeah, I see that,
38 Charlie Jackson. You know, there s still time, Della.
39 There's still time. If these folks are willing to send
40 me their license and date of birth, I ll be more than
41 willing and happy to cut them a permit and get it out
42 to them so they can take advantage of the hunt. It
43 does not end until March 31st, so I'm ready to work
44 with these folks at Sand Point if there's another way
45 we can get this message out to them.

46

47 ACTING CHAIR TUTIAKOFF: Thank you.

48 Pat, comment.

49

50 MR. HOLMES: Yeah, I think it s, to be

1 polite, a pretty poor excuse to say you made several
2 calls to a few people. I know if I wanted to get
3 something done in Sand Point, I could take any single
4 number and just go through the phone book. I'd call
5 the tribal council, I'd call the city. I've had
6 several chats with Stanley Mack, the Aleutians East
7 Borough, since this process has gone on. It's not hard
8 to get people in Sand Point.
9 All you've got to do is try. I just think -- or you
10 could have gotten in one of your company planes and
11 flown over there.

12
13 There's a lot of ways to do it and you
14 can't just sit in the office and say, gee, I called
15 four people and couldn't make contact with Sand Point.
16 I know there's not as many people living there anymore,
17 but just contacting anybody and they would get the
18 information to the person you needed to have it to or
19 even send a letter to the post office and have it
20 posted up down at the airport. You've got to work
21 harder. And I'm not being mean, you just need to work
22 on it better.

23
24 Thank you.

25
26 MS. MELENDEZ: Yeah, this is Leticia.
27 I can appreciate that comment, but first and foremost I
28 want you to understand that this is a limited staff
29 here and we did all that we could in order to
30 facilitate public use for this subsistence here. We
31 sent out flyers, we did notify all of the villages and
32 me being the only person here aside from our
33 administrative officer did my best to make sure that I
34 contacted these successful hunters to let them know.
35 Under the circumstances and me being the only person
36 here, there's only so much I can do. I even went the
37 extra mile with some of these folks. I don't mind
38 doing it again.

39
40 But I kind of take somewhat of an
41 offense in the fact that there's not much of an
42 understanding on your part because we did make an
43 effort. Now we do not have a pilot and we do not have
44 a plane, so therefore that couldn't have been
45 accomplished. But I can appreciate your comments and I
46 will do my best next time around with more staff to
47 facilitate getting this out in a manner that everybody
48 should be notified.

49
50 MR. HOLMES: Your regional Refuge

1 manager -- excuse me, Mr. Chair, had promised our
2 Council that there would be a plane and pilot there and
3 when you had to replace it that that would be a
4 priority, so I'm sorry that your shop isn't following
5 through. Perhaps you could call the school. The high
6 school principal would be able to get you in connection
7 with whoever you need.

8

9 The thing is, I do understand that.
10 I've been there. I've done that. I worked in Cold
11 Bay, Sand Point, King Cove, Nelson Lagoon, Port
12 Moller, Port Heiden and I used to be the Aleutian area
13 biologist and I was stationed in Atka. I was the only
14 person and I do understand where you're at, but I do
15 understand that there is an ability to communicate.
16 What it comes down to is the essence of having caribou
17 for food and those few caribou mean so much to so many
18 people. I know you tried hard. Anyway, thank you.

19

20 MS. TRUMBLE: Mr. Chair.

21

22 ACTING CHAIR TUTIAKOFF: Yes, go ahead.

23

24

25 MS. TRUMBLE: This is Della. Leticia,
26 I m glad Pat followed up with that. My point, I think,
27 getting to this and what Pat was trying to get at, is
28 because people have not had the opportunity to hunt for
29 so long, that having -- you know, it s
30 not saying you didn t make an effort, but maybe looking
31 at other ways to try to do that. I know email is
32 probably an easier way for me. I know I received a lot
33 of calls from the four people that got the permits in
34 King Cove and it was a constant thing. I kept saying
35 you've got to call Fish and Wildlife in Cold Bay. They
36 need the information and I can't help you with that.

37

38 I think in the future, prior to doing
39 this again, when we have all the -- people or tribes or
40 people on the phone is asking them what's the best way
41 to do this because it's unfortunate to miss an
42 opportunity. I don't know what the numbers look like
43 later in your report, but this might be an opportunity
44 that we'll get for the next five or ten years, who
45 knows. The point was there's got to be a little more
46 avenues to be able to accomplish what was set out to
47 do.

48

49 MS. MELENDEZ: Thank you. I appreciate
50 that comment. I'm taking all your advice. I just also

1 want you to understand the hunter has a responsibility
2 as well. In order for this to work, we did what we
3 could and we advertised and I made calls. There's only
4 so much I can do to try and get a hold of people. What
5 I needed was licenses and date of birth. I asked the
6 people to send those to me and they did not send them
7 to me. I do not know what else I need to do in order
8 for them to respond to me when I ask for this
9 information.

10

11 Now I don't have any messages or
12 received any message from Gus Carlson, Charlie Jackson,
13 Perry Galovin or Nick Carlson. I never had any
14 messages from them regarding the permits. But I will
15 take all your suggestions into consideration and I
16 appreciate the constructive criticism. I think it's
17 good to get constructive criticism because it's a
18 learning effort and I appreciate that.

19

20 Thank you, Della.

21

22 Thank you, Mr. Chairman.

23

24 ACTING CHAIR TUTIAKOFF: Thank you.

25

26 Rick Koso.

27

28 MR. KOSO: Hi, Leticia. I agree with
29 you that definitely the hunters themselves has to take
30 on some of this responsibility on their own part. I
31 know trying to get information and stuff out there is a
32 little tough sometimes.

33

34 Anyway, I'll change the subject a
35 little bit. I was just looking at the surveys on this
36 deal here, on the caribou on 9D, and it looks like
37 we're drastically falling. Could you give me kind of
38 an update on your surveys in both 9D and 10.

39

40 MS. MELENDEZ: Thank you, Rick, for
41 that. Absolutely. I'm going to go ahead and let the
42 biologist, Stacy Lowe, take over and answer any
43 questions that you all may have. If any other
44 questions come up about the subsistence caribou hunt,
45 I'll be more than happy to answer those, but for now
46 I'll give it to Stacy Lowe.

47

48 MS. LOWE: Thank you. I appreciate the
49 opportunity to provide a summary of the written report
50 I provided. I'll take questions about it when I get

1 through each of the different topics here about our
2 biological activity at Izembek Refuge.

3

4 Starting with caribou in Unit 9D, it's
5 composed of the Southern Alaska Peninsula Herd. Last
6 year the Alaska Department of Fish and Game conducted a
7 fall composition survey in October and they reported
8 finding a calf to cow ratio of 20 calves per 100 cows.
9 This is the same number as 2011, so it looks like that
10 number has remained the same. The bull to cow ratio
11 increased in 2012 with 45 bulls per 100 cows. This
12 number is above the management objective for the herd,
13 which is 35 bulls per 100 cows.

14

15 At this point, we have not been able to
16 conduct a winter survey. We are still waiting to get
17 either sufficient snow cover or have all the snow melt
18 so that we can conduct our aerial survey. So,
19 unfortunately, I don't have an update on the winter
20 count at this time, but we do have plans to try and
21 complete that as soon as the conditions allow.

22

23 We have been able to conduct a few
24 radio tracking flights of the Southern Alaska Peninsula
25 Herd. Not complete flights due to weather, but we have
26 radio tracked several times and counted caribou just to
27 measure the distribution of them spatially.

28

29 MR. KOSO: I guess I've just got a
30 question on the.....

31

32 MS. LOWE: During October the State was
33 conducting a Southern Alaska composition count. They
34 also counted on Unimak Island and that composition
35 count you'll do the calf to cow ratio of three calves
36 per 100 cows, so that number is remaining low. The
37 bull to cow ratio is still low and that was 9.5 bulls
38 per 100 cows. The goal again for bulls would be 35 per
39 100 cows, so we're well below that.

40

41 Again, the snow conditions on Unimak
42 have been inadequate for conducting a survey. Although
43 we don't have an airplane or pilot stationed here, we
44 have had access to those resources. Again, we're
45 waiting for appropriate conditions to accomplish that.

46

47 Just an interesting note. We did have
48 one of our satellite collared female caribou on Unimak
49 Island swim over to the peninsula and spent about two
50 months here before returning to Unimak Island in

1 January. We have not had a satellite collared caribou
2 documented do that before, so we were pretty excited
3 about that.

4

5 Moving on to the Pacific Brandt survey.
6 In the fall, an aerial survey was conducted by the
7 migratory bird folks. They conducted three surveys and
8 the average count was 154,481 birds. This is a 22.6
9 percent increase from the 2011 count. The mid winter
10 count has not yet been conducted for this year. It's
11 typically conducted sometime between January and March
12 as the birds arrive in April.

13

14 Also in the fall we classify Brandt
15 based on age between adults and juveniles to get an
16 idea of the productivity. This year we classified
17 18,091 Brandt. The juveniles made up 13.8 percent of
18 the population. This continues to decline from last
19 year.

20

21 The update on the Emperor Goose is the
22 spring count has not been conducted yet this year.
23 That's typically done in April. The fall count yielded
24 an estimate of 58,680 geese. The fall productivity
25 count consisted of 1,025 geese observed with juveniles,
26 making up 13.9 percent. This is lower than the
27 long-term average of 23.3 percent juveniles.

28

29 An update on our avian influenza
30 sampling. Last fall we continued our collaboration
31 with USGS to collect the avian influenza samples.
32 Although the results from 2012 are not yet completed,
33 I'm happy to report that the samples from 2011 none
34 tested positive for the H5N1 virus. Our plan is to
35 continue that sampling again this fall.

36

37 I'll update you on the research
38 projects being conducted here at Izembek. We have one
39 project that's continuing to examine the habitat and
40 nutritional ecology for caribou forage on Unimak Island
41 to determine if this is playing a critical role in the
42 population decline and they're anticipated to have the
43 results done and wrapping up mid year this year.
44 Hopefully we'll be able to report the results of that
45 in the fall.

46

47 We're also working on a collaborative
48 study with a Penn State University student to develop
49 an inventory and monitoring plan for Izembek Refuge and
50 we expect completion of that by the end of this year.

1 Lastly we have a student from Notre
2 Dame University who is studying the stream
3 characteristics of salmon streams on Izembek Refuge.
4 She's working to develop baseline data to aid in our
5 understanding of marine derived nutrients in the
6 ecosystems here at Izembek. She's planning to complete
7 her sampling this year.

8
9 Moving on to our sealing records for
10 last year. We had six brown bears that were sealed
11 here at Izembek. We had three wolves that were sealed,
12 three river otters and 10 walrus tusks were tagged here
13 at Izembek Refuge.

14
15 That completes my update of the report.
16 If there's any questions, I'm happy to answer those.

17
18 ACTING CHAIR TUTIAKOFF: Thank you. We
19 have some comments here.

20
21 We'll start with the phone, Della.

22
23 MS. TRUMBLE: Mr. Chair. This is
24 Della. I m looking at your report and I m not sure if
25 you were on the line earlier this morning when the
26 meeting started, but we have a major concern in this
27 community and it has to do with wolves. There are a
28 large number of wolves at the landfill. In fact, we
29 see them chasing bears. I ve never seen anything like
30 it in the whole time I have lived and grown up here and
31 neither have any elders. That problem also is
32 continuing in False Pass. What efforts or are there
33 any efforts being made toward surveys in regard to wolf
34 and bear and looking at the potential for predator
35 control when we're looking at caribou. This is for
36 State and Federal because I know in most of these lands
37 a good chunk of them are Federal, but the other portion
38 of this is State.

39
40 MS. LOWE: Thank you, Della. This is
41 Stacy at Izembek. I must have skipped over it, but we
42 did attempt to survey the brown bears this past fall.
43 Unfortunately, due to weather, we didn t get a chance
44 to complete the surveys. It's very difficult to
45 compare those results to the prior years they were
46 counted along the streams.

47
48 In terms of initiating wolf research,
49 we have not done that at this point in time, but I
50 appreciate your concern over the potentially increasing

1 numbers and I definitely heard a lot of stuff from
2 other folks about seeing a lot more wolves than they
3 have historically. It would probably be a really great
4 project to look at that.

5
6 MS. TRUMBLE: I think, you know, we've
7 been talking about a this for a number of years
8 especially with the caribou and this issue came up in
9 False Pass and Unimak. The population over the past
10 eight years is really high. Like I said, we've got a
11 big problem. When I hear of people going outside to
12 clean off their dish from the snow so their satellite
13 can keep working and you're surrounded by four wolves,
14 you've got a problem. We have a problem. Not you, we,
15 all of us do. I think that issue needs to be addressed
16 not as a study, but needs to be looked at immediately.

17
18
19 Is Lem still involved in King Salmon at
20 this point or who is in charge in King Salmon at this
21 time?

22
23 MS. LOWE: I don't know if Chris
24 Peterson is still on the phone, but (phone drop out) at
25 Fish and Game over in Dillingham. They're in the
26 process of Dave Crowley moving in there, the area
27 management biologist, but Chris Peterson is currently
28 in the wildlife office there in King Salmon and he s
29 the assistant area management biologist over there.
30 Lem Butler is based out of the Palmer office and he
31 does the regional supervising for wildlife. They would
32 be a contact for Unit 9 and 10.

33
34 MS. TRUMBLE: Okay. I'll try to give
35 Lem a call. I know I discussed this with Chris before
36 and when she was even at Izembek. But I am concerned
37 and I'm not the only one. I've been asked to bring
38 this forward not only from Cold Bay, but False Pass and
39 definitely King Cove. Like I say, we've not -- when
40 you're looking at a pack of seven and another pack of
41 four, we've got a problem and I hate to see somebody
42 get hurt over and above this. I mean we already know
43 what happened in Chignik a few years ago. But above
44 and beyond that the predator control I think I really
45 would like this Council to take -- I don't know what
46 action we can take to try and press this forward, but I
47 would appreciate some assistance.

48
49 ACTING CHAIR TUTIAKOFF: Okay. We have
50 somebody.

1 MS. YUHAS: Thank you, Mr. Chairman.
2 Jennifer Yuhas, Alaska Department of Fish and Game. It
3 sounds like our managers have signed off. They were
4 online earlier. That was an accurate representation of
5 which Staff are working on the issues. As far as what
6 the Department has done, I think it s been highly
7 publicized our predator management efforts in that area
8 were prohibited from practicing on the Federal land,
9 obviously, but when the proposals came up two years ago
10 for the last wildlife cycle, we supported predator
11 management in the area.

12
13 You're aware that the Federal
14 Subsistence Board has a policy regarding predator
15 management and they leave that up to the land managers.
16 The current Chair, Mr. Towarak, has said he is open to
17 discussing revision of that policy. The Board is able
18 to do that if they have the votes to change it. They
19 may or may not. But they have heard from several of
20 the RACs, especially in regards to the MOU process,
21 that RACs wanted predator management addressed within
22 the MOU. The solicitor said that we're unable to do
23 that.

24
25 You'll be getting a briefing later on
26 the MOU process. I am the State's member on the MOU
27 Staff working group, but the solicitor, the Federal
28 lawyer, told us that we couldn't address that within
29 the MOU because of the policy. Mr. Towarak asked at
30 the last May meeting of the Federal Subsistence Board
31 whether that was able to simply be changed by the
32 Board. The solicitor replied that the mechanics are
33 available. He didn't think that it was likely, but we
34 don't know with the two new public members.

35
36 So that's something for this RAC to
37 consider if you want those wishes known to the Federal
38 Subsistence Board that you d like them to change that
39 policy. You are embarking on a new wildlife proposal
40 cycle. Last time the Department supported proposals to
41 increase the harvest of wolves in that area. The
42 analysis and the Board took that to be predator
43 control, but it's really the semantics of how that
44 proposal is brought forward if people in the area
45 believe they need more wolves and want the limits
46 increased, they can put that before the Board again and
47 the Department is highly likely to support it. We're
48 very proud of the efforts that we've made so far and
49 think that's definitely contributed to the availability
50 of this hunt.

1 ACTING CHAIR TUTIAKOFF: Thank you.
2 Della, maybe we could add that to our letter to the
3 Federal Subsistence Board on our annual report. Maybe
4 we could add that we want to ask them to revisit the
5 policy on wolf management, predator control. I'll make
6 a note here. Maybe we can get it added in there. Of
7 course, the board itself here can do something more
8 positive and that's request that the Department take a
9 better look at what's happening in the peninsula and on
10 Unimak. There is a problem and it's being brought
11 forward by residents. So we need to have the
12 information gathered together here somehow.

13
14 Pat and then -- oh, wait. Hold on.
15 I'll take Tom first. He was waiting.

16
17 MR. SCHWANTES: I have a couple
18 questions regarding your table on Page 117 of the
19 report, your caribou table for Unit 9D.
20 The year 2008-2009 you're showing a bull/cow ratio of
21 10 and a fall calf/cow ratio of 39. The next year
22 you're showing 21 bulls per 100 cows with a 43 calves
23 per 100 cows. The following year 28 bulls per 100
24 cows, 47 calves per 100 cows. I believe in those three
25 years were years that the State had implemented a
26 predator control in that area. Now all of a sudden
27 we're jumping down to the last two years. We've got a
28 cow/bull ratio of 40 bulls per 100 cows and 45 bulls
29 per 100 cows and 45 bulls per 100 cows the last two
30 years with only a 20 calf per 100 cows ratio. So it's
31 pretty obvious to me that the predator control program
32 made a huge difference in that area and I guess my
33 question to you is are you considering another predator
34 control program in that area to support that herd.

35
36 ACTING CHAIR TUTIAKOFF: Is that
37 Izembek managers? Is that the question you referred
38 to?

39
40 MR. SCHWANTES: Yes.

41
42 ACTING CHAIR TUTIAKOFF: Anybody there?

43
44 MR. BAYLISS: Mr. Chairman. This is
45 Shawn Bayliss, acting refuge manager here. Good
46 afternoon. I was waiting for Stacy to comment on that.
47 Like Leticia said, I'm just a dumb duck biologist from
48 Montana, so I'm not privy to the details of what you're
49 talking about as I should be, but currently there are
50 no plans for additional predator control. I think the

1 State was involved and I think the State was involved
2 and I think Ms. Yuhas might be able to address some of
3 that, if I got her name correct. Is that correct?

4
5 MS. YUHAS: Mr. Chairman. That is
6 correct, that is my name. Mr. Schwantes, I think that
7 is the difference that the Refuge does not conduct
8 predator management and the State does. We're glad
9 that you noticed the numbers had increased when we had
10 our predator management program in place. At this
11 time, I was hoping one of our biologists would chime in
12 as far as our plans for the area, but they are not
13 online. I don't want to speak for them and misspeak to
14 the specifics.

15
16 MR. BAYLISS: I would mention, Mr.
17 Chairman, that the current season bag limit for wolves
18 is fairly liberal. I don't know if maybe all the
19 residents on the peninsula have already shot their 20
20 wolves per year or maybe it's 10, I don't recall, but
21 it is fairly liberal. I do know around here talking to
22 locals at Cold Bay who had shot two or three, but not
23 many.

24
25 MS. YUHAS: Mr. Chairman. This is
26 Jennifer Yuhas again. Per the testimony at both the
27 Board of Game hearings on this issue and the last
28 Federal Subsistence Board in two January's ago on this
29 same issue, testimony from the locals was that it was
30 very difficult to reach the limit because of the
31 terrain and because of the weather conditions and that
32 was why they were advocating for aerial predator
33 management, that it was seen as the only effective tool
34 in that area.

35
36 ACTING CHAIR TUTIAKOFF: Yes, Sam.

37
38 MS. TRUMBLE: Mr. Chair.

39
40 ACTING CHAIR TUTIAKOFF: Della.

41
42 MS. TRUMBLE: I think just to add to
43 that, that's correct. The aerial survey definitely had
44 a positive impact. Of course, with the Federal lands
45 in Unimak it would have to go through
46 the public process. It's an issue of -- to be honest
47 with you, a small community fighting a large group of
48 people that really don't understand some of our issues
49 in Alaska in our smaller communities. I think the
50 bigger picture is the people have actually in King Cove

1 have been killing the wolves because they've been
2 closer and in town so they're able to get them, but
3 normally they're not just -- you know, we haven't had a
4 lot of snow cover. Winter really hasn't been that
5 harsh, so my guess is they're hungry.

6
7 I know with bears we had a problem last
8 summer because there wasn't any fish in the creeks and
9 the bears were basically everywhere. All on the road
10 system and anywhere, all during the day and night
11 looking for food. These animals are hungry.

12
13 I think this is an issue I think we
14 really need to try and work on with the State if we
15 have to if it's on the State lands, corporation lands
16 under the State policies, guidelines. I know for sure
17 it helped before. I know the Federal portion of it is
18 limited to what they can do in their process that they
19 have to involve.

20
21 That s what I have to say, Mr. Chair.

22
23 ACTING CHAIR TUTIAKOFF: Thank you.

24
25 Pat and then Sam.

26
27 MR. HOLMES: Mr. Chair. My apologizes
28 to the Izembek staff. I didn't mean to offend you.
29 I'm getting over an ear infection and have lots of
30 antihistamines and I'm a grumpy old curmudgeon, so I
31 just tend to be that way sometimes. Please understand
32 our passion, you know. A friend of mine that used to
33 live in Chignik was one of the people that went and
34 picked up parts of the gal that got eaten by the wolves
35 and I've known folks on the peninsula since 1963 and
36 it's painful to the point of crying sometimes.

37
38 I'd like to go back to Tom Schwantes
39 observations and then a couple things on Ms. Jennifer's
40 comments. When Lem Butler did a study, and it wasn't
41 predator control per se or wolf removal, is they went
42 up on the calving grounds. They did ask the Refuge and
43 none of you folks were there then and that's often our
44 problem with our Council is a lack of continuity. He
45 inquired about doing his experiment on the calving
46 grounds, but only 40 percent are in State lands. He
47 was not allowed to do that on the Refuge lands. We
48 were told when the EA was done on Unimak that the only
49 reason that they would not allow predator control or
50 any predator or carnivore adjustment was because it was

1 wilderness, but the other Refuge areas where the
2 calving grounds are not. So that s sad.

3
4 But you look at those removals in those
5 couple of years, was 23 adult wolves. Those were
6 wolves that came on the calving grounds and attacked
7 does dropping fawns. It wasn't flying around shooting
8 every wolf on the peninsula. I don't honestly think
9 wolf control as a whole would solve the problem. I
10 think folks are certainly rightful to shoot them if
11 they're coming in the yard chasing their kids and
12 eating their dogs. As far as the direct relationship
13 to caribou, doing that on the calving grounds is proof
14 in the pudding because you can see those changes, as
15 Tom mentioned, in bull/cow ratio, calf ratios. Now
16 it's dropping. Probably next year it won't be 20
17 percent. I bet you it will be down to 10 or so.

18
19 You compare that directly with Unimak
20 Island, which the population has continued to drop.
21 The sample size has dropped. The number of calves
22 there and their survival is just about to the point
23 where we've expressed concern about not having caribou
24 there. It would be nice to move them back from 9E or
25 9D down that way, but, you know, it's something
26 obviously well beyond you folks. I do think it falls
27 to our Council to write a letter to the Federal Board
28 suggesting that they look at some of these selective
29 removals on the calving grounds because that has proof
30 in the putting and it allows the carnivores and
31 herbivores to come into balance in other areas.

32
33 That's a whole different thing than
34 the predator control program that the Fish and Wildlife
35 Service used to do. There's a fair number of geezers
36 here on our board during our youth in Alaska and
37 elsewhere. So it really needs to be looked at
38 scientifically and approached in a rational and non-
39 emotional pattern. So I certainly hope that there is a
40 potential to go back and do that at least on State
41 lands and I think we'll probably see the ratio shift in
42 a positive way again. On Unimak we'll continue to stay
43 down and continue to go down.

44
45 Thank you, Mr. Chair.

46
47 ACTING CHAIR TUTIAKOFF: Thank you.

48 Sam.

49
50 MR. ROHRER: He addressed what I was

1 going to say.

2

3 ACTING CHAIR TUTIAKOFF: Okay. Rick.

4

5 MR. KOSO: Getting back to the caribou
6 there, maybe you could -- I guess what I want to say is
7 on 10. When you're talking three caribou to 100,
8 you've got three to 83, now you're less than 100, so
9 you've got about two cows left on the island. When
10 does it become a factor where you just say, well,
11 there's no more left and you walk away and save your
12 money? I guess if there's not going to be some sort of
13 control there, I could just see it disappearing in a
14 year or two. I don't know what it's going to take, but
15 something drastic needs to happen to get them caribou
16 back up where they belong.

17

18 ACTING CHAIR TUTIAKOFF: Anymore
19 comments for Izembek.

20

21 (No comments)

22

23 ACTING CHAIR TUTIAKOFF: Thank you. I
24 know that the caribou hunt next year will be -- maybe
25 those individuals that did get the permits have a
26 responsibility. I agree with that comment. They
27 haven't had a hunt for so long that they would be
28 calling that office to get their permit registered so
29 they can go do the hunt and apparently you can only say
30 so much about what they can and can't do. I'm kind of
31 disappointed that Sand Point didn't make the effort,
32 including the tribal government, who was aware of the
33 hunt to call and say what do we need to do to have this
34 done. Hopefully next year.....

35

36 MR. BAYLISS: Mr. Chairman. If I may.

37

38 ACTING CHAIR TUTIAKOFF:it will
39 be successful. Who is this?

40

41 MR. BAYLISS: This is Shawn Bayliss,
42 the acting Refuge manager again. I appreciate all the
43 comments from the folks who spoke regarding wolves and
44 caribou. I'd like to echo two gentleman ago, his
45 comment that it's kind of above our heads as far as
46 wolf management goes. We all know the culture has
47 changed in regards to predator management pretty much
48 nationwide and we're limited more or less in what we
49 can and can't do with predator management and we tend
50 to leave that up to the State. If it has to happen on

1 Federal land, it s a much more difficult task to say
2 the least.

3

4 In regards to the permits for Sand
5 Point, I think if the issue was common to all the
6 communities, I'd say we probably missed the boat
7 somewhere, but if it was only restricted to one
8 community, perhaps there was a communication issue with
9 just that one community, but rest assured we ll do our
10 best to make darn sure for the future that all those
11 folks who receive those permits are aware of the
12 requirements necessary to shoot that caribou. I
13 appreciate your time and willingness to talk.

14

15 ACTING CHAIR TUTIAKOFF: Thank you.

16

17 MS. TRUMBLE: Mr. Chair. Vince.

18

19 ACTING CHAIR TUTIAKOFF: Yeah, go
20 ahead, Della.

21

22 MS. TRUMBLE: Maybe what we do too in
23 the future, if we're able to have another hunt, is make
24 sure people that get the permits know that if you're
25 not going to hunt give it to somebody else that might
26 have the opportunity or ability. Many of our guys are
27 fishing a lot and they need to be fishing. Their
28 seasons are short and getting shorter and shorter, so
29 it's kind of tough when you look at Sand Point to try
30 and come a long distance to try to hunt. You have just
31 a small area inside a small area, so that's another
32 issue.

33

34 MS. MELENDEZ: Mr. Chairman. If I may
35 address Della.

36

37 ACTING CHAIR TUTIAKOFF: Yes, go ahead.

38

39 MS. MELENDEZ: Thank you, Della, for
40 that comment. I just wanted to add that I noticed that
41 there was some problems with some of the folks in the
42 villages where they have to have a current license to
43 hunt and they were expired, they would have a hard time
44 getting on the computer and actually getting the
45 hunting license that they needed. I did assist some
46 folks and was successful in getting them their license,
47 but it seems to me that during this time frame and the
48 split that the 2012 expired that a lot of the folks did
49 not get their most recent license. Either they get
50 held up on the internet trying to get it or they just

1 forget it's expired and the process it takes might be
2 overwhelming, I don't know, but I've always offered my
3 help as far as helping them obtain their license..

4
5 ACTING CHAIR TUTIAKOFF: Thank you.
6 Anymore comments for Izembek.

7
8 MR. KOSO: Vince.

9
10 ACTING CHAIR TUTIAKOFF: Rick.

11
12 MR. KOSO: I don't know if this is for
13 Izembek, but since we're on the caribou herd maybe it's
14 -- I think Megan in King Salmon is the one that
15 monitors the caribou population in Adak. If someone
16 can answer a question. I know I've requested numerous
17 times to see if we can't get a survey out there. I've
18 never heard anything back on that, so I would just like
19 to bring that back up to see if there's someone here
20 that can answer that question for me.

21
22 MS. YUHAS: Thank you. Through the
23 Chair. We're expecting that the State managers will be
24 online tomorrow for the State report and didn't expect
25 direct questions of the State under the Refuge report.

26
27 MR. KOSO: Thank you.

28
29 I'll wait until then.

30
31 ACTING CHAIR TUTIAKOFF: Thank you.
32 Thanks very much for your reports people in Izembek
33 and, Della, for your report. Next item we have is
34 Steve with his update and report.

35
36 Agency reports.

37
38 MR. FRIED: Thank you, Mr. Chair. This
39 is Steve Fried, Office of Subsistence Management. I do
40 have several briefings just for informational purposes
41 for the Council.

42
43 The first concerns the budget. I guess
44 if everybody has listened to the news and read some of
45 the newspapers you can see all the interesting things
46 that have been going on with the Federal budget. It
47 included the automatic spending cuts that were referred
48 to as sequestration, which were developed to provide an
49 incentive for Congress to come up with a better way to
50 solve the deficit problem, but evidently they couldn't,

1 so they hit the sequestration.

2

3 I think the Service was hit with
4 somewhere between a 5 and 6 percent cut under that. On
5 top of that we were operating with an actual budget
6 that was going to expire fairly soon. Congress did
7 pass a -- I guess it's another continuing resolution to
8 get the government through the end of the fiscal year
9 in September. It's my understand that there's another
10 2 or 3 percent cut on top of the 5 percent cut for the
11 Service on that, so I guess we're looking at a 7
12 percent cut or so for the Fish and Wildlife Service.
13 Whether or not that's distributed equally or how
14 they're going to do that I'm not sure and it's
15 certainly above my pay grade. What this has resulted
16 in is -- and even before this happened we're under
17 travel restrictions, so that's why we have a lot of
18 people on conference calls now instead of at the
19 meeting.

20

21 I'll just merge right into the next
22 briefing with staffing. We do have several vacant
23 positions in OSM and these include the assistant
24 regional director for OSM, the position that Pete
25 Probasco filled. He moved over into Migratory Birds
26 and State programs as the assistant regional director.
27 Currently Cathy O'Reilly-Doyle is acting in his place.
28 She was his deputy. David Jenkins, who was the policy
29 analyst, moved into Cathy's old position as deputy.
30 Anthropology division has several vacancies. There's
31 only two people in there right now. Helen Armstrong
32 and Pippa Kenner. Helen retires the end of May, so
33 we'll have a division with one person.

34

35 They were actually moving forward to
36 fill some of these positions and then we're hit by a
37 hiring freeze. Under the hiring freeze I guess each
38 region in the Service has to come up with a list of
39 waivers to send to D.C. to see if they can hire some of
40 the positions. I think some of those just went through
41 -- just got sent out of D.C. I think either this week
42 or last week. I don't know exactly which positions
43 there were. I know there was a lot of interest in
44 trying to fill the vacant assistant regional director's
45 spot.

46

47 I know there was a lot of concern in
48 trying to fill at least some of the seasonal positions
49 that were coming open for the coming field season. As
50 far as some of the other vacancies they've been talking

1 about moving people around from other programs as those
2 programs got cut. I'm not sure how that's all going to
3 shake out.

4

5 The other person that retired was
6 Michelle Chivers. I guess you all knew she used to
7 hold the position that Tom is now filling. She then
8 went in as our permit specialist. She retired, so now
9 we have no permit specialist. So it's been
10 interesting. So we do have a lot of vacancies. The
11 one good thing about the vacancies is it did save us a
12 lot of money, so it is easier in some ways to face
13 these cuts because we already have the vacancy factor,
14 but that's not the best way to operate.

15

16 Are there any questions about budget or
17 staffing or do you want me to go on to the next topic,
18 Mr. Chair?

19

20 ACTING CHAIR TUTIAKOFF: Do you have
21 comments.

22

23 MR. HOLMES: I just wonder if you're
24 going to go back to work for the State now.

25

26 MR. FRIED: The next thing I do, I
27 think, is go back and work for myself. I think there's
28 a couple kayaks I'd like to build in my spare time.

29

30 (Laughter)

31

32 ACTING CHAIR TUTIAKOFF: Okay, we'll
33 move on.

34

35 MR. FRIED: Okay. The next one is the
36 request for proposals for the Fisheries Resource
37 Monitoring Program. That's for funding that would
38 begin in 2014. We got a call out this year. I think
39 it came out in December kind of late. It usually goes
40 out in November. That was due to some changes in the
41 program. One of the changes is that instead of having
42 investigators submit twice, one was a one or two page
43 kind of -- we called it a proposal. It was just a very
44 short description kind of idea and if that was looked
45 at favorably by the Technical Review Committee, then
46 the investigator would then have to provide an
47 investigation plan, which actually had all the details
48 of what they were proposing to do as far as budgets and
49 methods and all that.

50

1 We decided that that short proposal
2 really wasn't being very helpful. Just making more
3 work for everybody, including the investigators. There
4 really isn't another funding program that uses that
5 sort of process, so we -- this year we're making that
6 change so that come April 4th the investigators will be
7 sending us full investigation plans and we'll be able
8 to evaluate those.

9
10 There's also been some changes in the
11 terms of reference as to how the Technical Review
12 Committee operates. To refresh your memories, the
13 Technical Review Committee consists of members from all
14 five Federal agencies that are involved in subsistence
15 management as well as three representatives from the
16 State of Alaska representing Commercial Fisheries,
17 Sport Fish and Subsistence Division. It's chaired by
18 the Fisheries Division supervisor, which currently is
19 me. We made a change to also have it co-chaired by the
20 Anthropology Division supervisor mostly to provide some
21 more social science input into the process.

22
23 We've had retirement, so we've been
24 having some nominations for the vacant chairs and
25 trying to find a suitable meeting date in June for the
26 Technical Review Committee to meet. They're the body
27 that comes up with a review of the proposal and a
28 recommendation for funding. So they make a
29 recommendation. That goes forth to the Councils and to
30 the ISC and the public and finally to the Board that
31 makes the final funding decision, which will occur next
32 January, January 14th, so it's a year long process. So
33 this fall the Councils will be getting their say in
34 what they think should be funded.

35
36 As I said, they're due -- these
37 investigation plans are due April 4th, so that kind of
38 starts the whole process rolling as far as reviews go.
39 Supposedly there's going to be about \$3.7 million
40 available to fund projects in 2014, but who knows. We
41 do have what we put out with the proposal. You know,
42 priority information needs that we provide and these
43 are based on either strategic plans, discussions with
44 the Regional Councils, with managers. We do fully
45 evaluate any proposal that comes in as long as it has a
46 good link with Federal subsistence management.

47
48 To give you an idea of funding for
49 these projects. In the past, projects have gotten from
50 \$3,000 to as much as \$375,000 a year. The aware period

1 for a project, depending on what they ask for, can be
2 as short as one year and now that we've gone to this
3 every other year proposal process people can ask for as
4 long as four years to at least bridge the gap. It used
5 to be if we were doing year to year I think it was a
6 three-year max request, now it's four.

7

8 What else can I tell you about it.
9 Basically what was really holding things back was we
10 needed to get the new terms of reference, conflict of
11 interest issues solved that were brought up to us by
12 contracting in our Solicitor's Office and the Ethics
13 Office, so that took quite a bit to get those written
14 up and approved by all those people and then finally
15 signed by the assistant regional director of OSM. So
16 that's done. That makes the process a little more
17 difficult, but I think it's probably hopefully making
18 it a better process.

19

20 So that's in short a summary of what
21 we're looking at for the monitoring program. I'll take
22 questions if there are any.

23

24 (No comments)

25

26 ACTING CHAIR TUTIAKOFF: Hearing none.

27

28 MR. FRIED: You're just getting bored
29 of me, so let me get finished.

30

31 (Laughter)

32

33 MR. FRIED: The next topic is Council
34 appointments and nominations. There was a significant
35 delay in finalizing Council appointments this year. As
36 of this meeting we still haven't received the final
37 word about all the appointments. That's why there
38 hasn't been a press release announcing all the
39 appointments. We did receive a very low number of
40 applications this year for the 43 open seats, so we are
41 extending the application period until March 29th,
42 which is coming up in a few days, to the end of this
43 meeting cycle.

44

45 So that's kind of a summary of where we
46 are in Council appointments, but it is nice to see a
47 fully staffed Kodiak/Aleutians Council.

48

49 ACTING CHAIR TUTIAKOFF: Pat.

50

1 MR. HOLMES: Steve, I have a question
2 for you. If a person applied last year are they still
3 in the cue for this year or do you apply one year and
4 you're only considered one year? I know some folks
5 have submitted applications in the past and assumed
6 they were on the list. Do they continue on or do you
7 have to do it every year?

8
9 MR. FRIED: Maybe Tom can help me out,
10 but I think they have to do it every year.

11
12 MR. HOLMES: That would be a good thing
13 to note in your announcement because there's a whole
14 lot of really good candidates that I know of applied
15 and have assumed that they were still in the process.
16 I think if you had a nice bold number 18 type or
17 something, then that would explain things a lot because
18 I think probably some folks sitting there waiting,
19 assuming they were in there, so I know one that I'll
20 definitely tell them the heads up on that and possibly
21 suggest some folks out west like Tom Hoblet at False
22 Pass and there's some really good people out that way
23 too. I think it behooves our Council to contact folks
24 that we know would make good candidates and tell them
25 to get going with their application.

26
27 Thank you, Mr. Chair.

28
29 ACTING CHAIR TUTIAKOFF: Thank you.

30
31 Move on to the next one.

32
33 MR. FRIED: Moving on to the next topic
34 is the regulatory cycle and the Board has heard various
35 recommendations from the Councils regarding their
36 meeting dates for the fisheries regulatory cycle and
37 the fall meeting window. There really wasn't a
38 consensus as to what specific recommendations to make
39 when you look at all the comments from all the
40 Councils, but most Councils did agree that the fall
41 meeting window should be extended to mid November.
42 Some Councils agreed with moving the beginning of the
43 fisheries regulatory cycle from April 1 to May 1 and
44 that would require a regulatory change to do that.
45 That would allow the Board meeting to be moved later in
46 the year than January when they address the fisheries
47 regs.

48
49 The Board is going to be addressing all
50 these recommendations at a future meeting after the

1 Board and the InterAgency Staff Committee has a chance
2 to more thoroughly review all the Council
3 recommendations.

4

5 (No comments)

6

7 MR. FRIED: Okay. My next and last is
8 the Memorandum of Understanding update between the
9 Federal and State programs. The Board heard comments
10 from the Regional Advisory Councils. It did not give
11 final approval to a revised MOU. They're waiting to
12 hear back from the State Advisory Committees and
13 they'll likely address the MOU update at the April/May
14 meeting, which is coming up fairly quickly. That's all
15 I have to say about the MOU.

16

17 ACTING CHAIR TUTIAKOFF: Okay. Any
18 questions for Steve.

19

20 (No comments)

21

22 ACTING CHAIR TUTIAKOFF: I guess you
23 explained it clear as a bell to me. Thank you.

24

25 MR. FRIED: You're very welcome.

26

27 ACTING CHAIR TUTIAKOFF: Let's see.

28

29 MR. SCHWANTES: We already did that.
30 It's already done.

31

32 ACTING CHAIR TUTIAKOFF: Yeah, we did
33 the briefing on consultation of tribes already, so
34 that's done. We'll recess now until tomorrow morning
35 at 8:30.

36

37 MR. KOSO: We'll be around 14 then.

38

39 ACTING CHAIR TUTIAKOFF: Then we'll do
40 -- yeah, I think we have just a few more items to do.
41 We've got the Kodiak National Wildlife Reserve and then
42 ADF&G, Native organizations again and, of course, the
43 action items. I don't know why we're scheduling any
44 meeting in 2014. We're not going to have any money.
45 We might just have to do it by phone card. But, you
46 know, we can do that too, I guess.

47

48 (Laughter)

49

50 ACTING CHAIR TUTIAKOFF: We'll talk to

1 you tomorrow. Recess.
2
3 (Off record)

